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ABSTRACT

The Goals 2000: Educate America Act is designed to improve learning and teaching by providing a national framework for education reform. Its goals also are to promote the research, coordination, and changes needed to ensure equitable educational opportunities for all students. The reauthorization of federal education programs and the establishment of a voluntary national system of skill standards and certifications are additional goals of the act. Title I establishes National Education Goals in seven areas: school readiness, school completion, student achievement and citizenship, teacher education and professional development, mathematics and science, adult literacy and lifelong learning, and safe, disciplined, and drug-free schools. Title II establishes a mechanism for building a national consensus for educational improvement, reporting on goals achievement, and monitoring voluntary national content and student-performance standards. The purpose of Title III is to improve the quality of education and opportunity for all students through federal encouragement of state and local programs. Title IV establishes oversight to a national system of standards and certification. Title V covers miscellaneous aspects of the act (definitions and limitations). Title VI establishes a grant program to provide training and information to parents. Also included are background, bill history, and Congressional dissenting opinions. (JPT)

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103D CONGRESS
1st Session
HOUSE OF REPRESENTATIVES
REPORT
103–168

ED 361 834

GOALS 2000: EDUCATE AMERICA ACT

JULY 1, 1993.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. FORD of Michigan, from the Committee on Education and Labor, submitted the following

REPORT

together with

DISSENTING AND SUPPLEMENTAL DISSENTING VIEWS

[To accompany H.R. 1804]

[Including cost estimate of the Congressional Budget Office]

The Committee on Education and Labor, to whom was referred the bill (H.R. 1804) to improve learning and teaching by providing a national framework for education reform; to promote the research, consensus building, and systemic changes needed to ensure equitable educational opportunities and high levels of educational achievement for all American students; to provide a framework for reauthorization of all Federal education programs; to promote the development and adoption of a voluntary national system of skill standards and certifications; and for other purposes, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

The amendments are as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Goals 2000: Educate America Act".

SEC. 2. PURPOSE.

The purpose of this Act is to provide a framework for meeting the National Education Goals established by title I of this Act by—

(1) promoting coherent, nationwide, systemic education reform;

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(2) improving the quality of learning and teaching in the classroom and in the workplace;

(3) defining appropriate and coherent Federal, State, and local roles and responsibilities for education reform and lifelong learning;

(4) establishing valid, reliable, and fair mechanisms for—

(A) building a broad national consensus on American education reform;

(B) assisting in the development and certification of high-quality, internationally competitive content and student performance standards;

(C) assisting in the development and certification of opportunity-to-learn standards; and

(D) assisting in the development and certification of high-quality assessment measures that reflect the internationally competitive content and student performance standards;

(5) supporting new initiatives at the Federal, State, local, and school levels to provide equal educational opportunity for all students to meet high standards and to succeed in the world of employment and civic participation;

(6) providing a framework for the reauthorization of all Federal education programs by—

(A) creating a vision of excellence and equity that will guide all Federal education and related programs;

(B) providing for the establishment of high-quality, internationally competitive content and student performance standards that all students will be expected to achieve;

(C) providing for the establishment of high quality, internationally competitive opportunity-to-learn standards that all States, local educational agencies, and schools should achieve;

(D) encouraging and enabling all State educational agencies and local educational agencies to develop comprehensive improvement plans that will provide a coherent framework for the implementation of reauthorized Federal education and related programs in an integrated fashion that effectively educates all children enabling them to participate fully as workers, parents, and citizens; and

(E) providing resources to help individual schools, including those serving students with high needs, develop and implement comprehensive improvement plans;

(7) stimulating the development and adoption of a voluntary national system of skill standards and certification to serve as a cornerstone of the national strategy to enhance workforce skills;

(8) assisting every elementary and secondary school that receives funds under this Act to actively involve parents and families in supporting the academic work of their children at home and in providing parents with skills to advocate for their children at school.

TITLE I—NATIONAL EDUCATION GOALS

SEC. 101. PURPOSE.

The purpose of this title is to establish national education goals.

SEC. 102. NATIONAL EDUCATION GOALS.

The Congress declares that the National Education Goals are the following:

(1) SCHOOL READINESS.—(A) By the year 2000, all children in America will start school ready to learn.

(B) The objectives for this goal are that—

(i) all children will have access to high-quality and developmentally appropriate preschool programs that help prepare children for school;

(ii) every parent in America will be a child's first teacher and devote time each day to helping his or her preschool child learn, and parents will have access to the training and support they need; and

(iii) all children will receive the nutrition and health care needed to arrive at school with healthy minds and bodies, and to maintain the mental alertness necessary to be prepared to learn, and the number of low-birthweight babies will be significantly reduced through enhanced prenatal health systems.

(2) SCHOOL COMPLETION.—(A) By the year 2000, the high school graduation rate will increase to at least 90 percent.

(B) The objectives for this goal are that—

(i) the Nation must dramatically reduce its dropout rate, and 75 percent of those students who do drop out will successfully complete a high school degree or its equivalent; and

(ii) the gap in high school graduation rates between American students from minority backgrounds and their non-minority counterparts will be eliminated.

(3) STUDENT ACHIEVEMENT AND CITIZENSHIP.—(A) By the year 2000, all students will leave grades 4, 8, and 12 having demonstrated competency over challenging subject matter including English, mathematics, science, foreign languages, civics and government, arts, history, and geography, and every school in America will ensure that all students learn to use their minds well, so they may be prepared for responsible citizenship, further learning, and productive employment in our modern economy.

(B) The objectives for this goal are that—

(i) the academic performance of all students at the elementary and secondary level will increase significantly in every quartile, and the distribution of minority students in each level will more closely reflect the student population as a whole;

(ii) the percentage of all students who demonstrate the ability to reason, solve problems, apply knowledge, and write and communicate effectively will increase substantially;

(iii) all students will be involved in activities that promote and demonstrate good citizenship, community service, and personal responsibility;

(iv) the percentage of all students who are competent in more than one language will substantially increase; and

(v) all students will be knowledgeable about the diverse cultural heritage of this Nation and about the world community.

(4) TEACHER EDUCATION AND PROFESSIONAL DEVELOPMENT.—(A) By the year 2000, the Nation's teaching force will have access to programs for the continued improvement of their professional skills and the opportunity to acquire the knowledge and skills needed to instruct and prepare all American students for the next century.

(B) The objectives of this goal are that—

(i) every State will establish opportunity-to-learn standards and create an integrated strategy to attract, recruit, prepare, retrain, and support the continued professional development of teachers, administrators, and other educators, so that there is a highly talented workforce of professional educators to teach challenging standards;

(ii) subgrants for preservice teacher education and professional development activity will be made to local educational agencies, institutions of higher education, private nonprofit organizations, or consortia of such organizations, to support continuing, sustained, professional development activities for all educators; and

(iii) partnerships shall be established, whenever possible, between local educational agencies, institutions of higher education, local labor, business, and professional associations to provide and support programs for the professional development of educators, particularly in the area of emerging new technologies in education.

(5) MATHEMATICS AND SCIENCE.—(A) By the year 2000, United States students will be first in the world in mathematics and science achievement.

(B) The objectives for this goal are that—

(i) math and science education will be strengthened throughout the system, especially in the early grades;

(ii) the number of teachers with a substantive background in mathematics and science will increase by 50 percent; and

(iii) the number of United States undergraduate and graduate students, especially women and minorities, who complete degrees in mathematics, science, and engineering will increase significantly.

(6) ADULT LITERACY AND LIFELONG LEARNING.—(A) By the year 2000, every adult American will be literate and will possess the knowledge and skills necessary to compete in a global economy and exercise the rights and responsibilities of citizenship.

(B) The objectives for this goal are that—

(i) every major American business will be involved in strengthening the connection between education and work;

(ii) all workers will have the opportunity to acquire the knowledge and skills, from basic to highly technical, needed to adapt to emerging new tech-

nologies, work methods, and markets through public and private educational, vocational, technical, workplace, or other programs;

(iii) the number of quality programs, including those at libraries, that are designed to serve more effectively the needs of the growing number of part-time and midcareer students will increase substantially;

(iv) the proportion of those qualified students, especially minorities, who enter college, who complete at least two years, and who complete their degree programs will increase substantially;

(v) the proportion of college graduates who demonstrate an advanced ability to think critically, communicate effectively, and solve problems will increase substantially; and

(vi) schools, in implementing comprehensive parent involvement programs, will offer more adult literacy, parent training and life-long learning opportunities to improve the ties between home and school, and enhance parents' work and home lives.

(7)(A) SAFE, DISCIPLINED, AND DRUG-FREE SCHOOLS.—By the year 2000, every school in America will be free of drugs and violence and will offer a disciplined environment conducive to learning.

(B) The objectives for this goal are that—

(i) every school will implement a firm and fair policy on use, possession, and distribution of drugs and alcohol;

(ii) parents, businesses, and community organizations will work together to ensure the rights of students to study in a safe and secure environment that is free of drugs and crime;

(iii) every school district will develop a comprehensive K–12 drug and alcohol prevention education program. Drug and alcohol curricula should be taught as an integral part of health education. In addition, community-based teams should be organized to provide all students and teachers with needed support; and

(iv) every school district will develop and implement a policy to ensure that all schools are free of weapons and violence.

TITLE II—NATIONAL EDUCATION REFORM, LEADERSHIP, STANDARDS, AND ASSESSMENTS

PART A—NATIONAL EDUCATION GOALS PANEL

SEC. 201. PURPOSE.

It is the purpose of this part to establish a bipartisan mechanism for—

(1) building a national consensus for education improvement;

(2) reporting on progress toward achieving the National Education Goals; and

(3) reviewing and commenting upon the voluntary national content and student performance standards and opportunity-to-learn standards certified by the National Education Standards and Improvement Council, as well as the criteria for their certification, and the criteria for the certification of State assessments by the National Education Standards and Improvement Council.

SEC. 202. NATIONAL EDUCATION GOALS PANEL.

(a) ESTABLISHMENT.—There is established in the executive branch a National Education Goals Panel (referred to in this Act as the "Goals Panel") to advise the President, the Secretary, and the Congress.

(b) COMPOSITION.—The Goals Panel shall be composed of eighteen members (referred to in this part as "members"), including—

(1) two members appointed by the President;

(2) eight members who are Governors, three of whom shall be from the same political party as the President and five of whom shall be of the opposite political party of the President, appointed by the Chairperson and Vice Chairperson of the National Governors' Association, with each appointing representatives of his or her respective political party, in consultation with each other;

(3) four Members of Congress appointed as follows—

(A) one member appointed by the majority leader of the Senate from among the Members of the Senate;

(B) one member appointed by the minority leader of the Senate from among the Members of the Senate;

(C) one member appointed by the majority leader of the House of Representatives from among the Members of the House of Representatives; and

(D) one member appointed by the minority leader of the House of Representatives from among the Members of the House of Representatives; and

(4) four members of State legislatures appointed by the President of the National Conference of State Legislatures, of whom not more than two may be of the same political party as the President of the United States.

(c) SPECIAL APPOINTMENT RULES.—(1) The members appointed pursuant to subsection (b)(2) shall be appointed as follows:

(A) If the Chairperson of the National Governors' Association is from the same political party as the President, the Chairperson shall appoint three individuals and the Vice Chairperson shall appoint five individuals.

(B) If the Chairperson of the National Governors' Association is from the opposite political party as the President, the Chairperson shall appoint five individuals and the Vice Chairperson shall appoint three individuals.

(2) If the National Governors' Association has appointed a panel that meets the requirements of subsections (b) and (c), except for the requirements of subsection (b)(4), prior to the date of enactment of this title, then the members serving on such panel shall be deemed to be in compliance with subsections (b) and (c) and shall not be required to be reappointed pursuant to such subsections.

(3) To the extent feasible, the membership of the Goals Panel shall be geographically representative and reflect the racial, ethnic, and gender diversity of the United States.

(d) TERMS.—The terms of service of members shall be as follows—

(1) Members appointed under subsection (b)(1) shall serve at the pleasure of the President.

(2) Members appointed under subsection (b)(2) shall serve a two-year term, except that the initial appointments under such paragraph shall be made to ensure staggered terms with one-half of such members' terms concluding every two years.

(3) Members appointed under subsection (b) (3) and (4) shall serve a term of two years.

(e) DATE OF APPOINTMENT.—The initial members shall be appointed not later than sixty days after the date of enactment of this Act.

(f) INITIATION.—The Goals Panel may begin to carry out its duties under this part when ten members of the Goals Panel have been appointed.

(g) VACANCIES.—A vacancy on the Goals Panel shall not affect the powers of the Goals Panel, but shall be filled in the same manner as the original appointment.

(h) TRAVEL.—Each member may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for each day the member is engaged in the performance of duties away from the home or regular place of business of the member.

(i) CHAIRPERSON.—From among the members, the President shall appoint the Chairperson who shall serve a one-year term and shall alternate between political parties.

(j) CONFLICT OF INTEREST.—A member of the Goals Panel who is an elected official of a State which has developed content, student performance, or opportunity-to-learn standards may not participate in Goals Panel consideration of such standards.

(k) EX OFFICIO MEMBER.—If the President has not appointed the Secretary of Education as 1 of the 2 members he appoints pursuant to subsection (b)(1), then the Secretary shall serve as an ex officio member of the Goals Panel.

SEC. 903. DUTIES.

(a) DUTIES.—The Goals Panel shall—

(1) report to the President, the Secretary, and the Congress regarding the progress the Nation and the States are making toward achieving the National Education Goals established under title I of this Act, including issuing an annual report;

(2) report on State opportunity-to-learn standards and the progress of States in meeting such standards;

(3) review after taking into consideration the public comments received pursuant to section 216, and comment upon the—

(A) criteria developed by the National Education Standards and Improvement Council for the certification of content and student performance standards, assessments, and opportunity-to-learn standards; and

(B) voluntary national content and student performance standards and opportunity-to-learn standards certified by the National Education Standards and Improvement Council;

(4) report on promising or effective actions being taken at the national, State, and local levels, in the public and private sectors, to achieve the National Education Goals; and

(5) help build a nationwide, bipartisan consensus for the reforms necessary to achieve the National Education Goals.

(b) REPORT.—(1) The Goals Panel shall annually prepare and submit to the President, the Secretary, the appropriate committees of Congress, and the Governor of each State a report that shall—

(A) report on the progress of the United States toward achieving the National Education Goals;

(B) identify actions that should be taken by Federal, State, and local governments to enhance progress toward achieving the National Education Goals and State opportunity-to-learn standards; and

(C) report on State opportunity-to-learn standards and the progress of States in meeting such standards.

(2) Reports shall be presented in a form, and include data, that is understandable to parents and the general public.

SEC. 304. POWERS OF THE GOALS PANEL.

(a) HEARINGS.—(1) The Goals Panel shall, for the purpose of carrying out this part, conduct such hearings, sit and act at such times and places, take such testimony, and receive such evidence, as the Goals Panel considers appropriate.

(2) In carrying out this part, the Goals Panel shall conduct hearings to receive reports, views, and analyses of a broad spectrum of experts and the public on the establishment of voluntary national content and student performance standards, assessments, and opportunity-to-learn standards.

(b) INFORMATION.—The Goals Panel may secure directly from any department or agency of the United States information necessary to enable the Goals Panel to carry out this part. Upon request of the Chairperson of the Goals Panel, the head of a department or agency shall furnish such information to the Goals Panel to the extent permitted by law.

(c) POSTAL SERVICES.—The Goals Panel may use the United States mail in the same manner and under the same conditions as other departments and agencies of the United States.

(d) GIFTS; USE OF FACILITIES.—The Goals Panel may—

(1) accept, administer, and utilize gifts or donations of services, money, or property, whether real or personal, tangible or intangible; and

(2) with consent, use the research, equipment, services, and facilities of any agency or instrumentality of the United States, or of any State or political subdivision thereof.

(e) ADMINISTRATIVE ARRANGEMENTS AND SUPPORT.—(1) The Secretary shall provide to the Goals Panel, on a reimbursable basis, such administrative support services as the Goals Panel may request.

(2) The Secretary shall, to the extent appropriate, and on a reimbursable basis, make contracts and other arrangements that are requested by the Goals Panel to help it compile and analyze data or carry out other functions necessary to the performance of such responsibilities.

SEC. 305. ADMINISTRATIVE PROVISIONS.

(a) MEETINGS.—The Goals Panel shall meet on a regular basis, as necessary, at the call of the Chairperson of the Goals Panel or a majority of its members.

(b) QUORUM.—A majority of the members shall constitute a quorum for the transaction of business.

(c) VOTING.—No individual may vote, or exercise any of the powers of a member, by proxy.

(d) PUBLIC ACCESS.—The Goals Panel shall ensure public access to its proceedings (other than proceedings, or portions of proceedings, relating to internal personnel and management matters) and make available to the public, at reasonable cost, transcripts of such proceedings.

SEC. 306. DIRECTOR AND STAFF; EXPERTS AND CONSULTANTS.

(a) DIRECTOR.—The Chairperson of the Goals Panel shall, without regard to the provisions of title 5, United States Code, relating to the appointment and compensation of officers or employees of the United States, appoint a Director to be paid at a rate not to exceed the rate of basic pay payable for level V of the Executive Schedule.

(b) APPOINTMENT AND PAY OF EMPLOYEES.—(1)(A) The Director may appoint not more than four additional employees to serve as staff to the Goals Panel without

regard to the provisions of title 5, United States Code, governing appointments in the competitive service.

(B) The employees appointed under paragraph (1)(A) may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates, but shall not be paid a rate that exceeds the maximum rate of basic pay payable for GS–15 of the General Schedule.

(2) The Director may appoint additional employees to serve as staff to the Goals Panel consistent with title 5, United States Code.

(c) EXPERTS AND CONSULTANTS.—The Goals Panel may procure temporary and intermittent services of experts and consultants under section 3019(b) of title 5, United States Code.

(d) STAFF OF FEDERAL AGENCIES.—Upon the request of the Goals Panel, the head of any department or agency of the United States may detail any of the personnel of such agency to the Goals Panel to assist the Goals Panel in its duties under this part.

SEC. 307. EARLY CHILDHOOD ASSESSMENT.

(a) GENERAL.—(1) The Goals Panel shall support the work of its Resource and Technical Planning Groups on School Readiness (referred to in this section as the Groups) to improve the methods of assessing the readiness of children for school that would lead to alternatives to currently used norm-referenced early childhood assessments.

(2) The Groups shall—

(A) create clear guidelines regarding the nature, functions, and uses of early childhood assessments, including a model of school readiness that addresses a broad range of early childhood developmental needs;

(B) monitor and evaluate early childhood assessments, including the ability of existing assessments to provide valid information on the readiness of children for school; and

(C) monitor and report on the long-term collection of data on the status of young children to improve policy and practice, including the need for new sources of data necessary to assess the broad range of early childhood developmental needs.

(b) ADVICE.—The Groups shall advise and assist the Congress, the Secretary, the Goals Panel, and others regarding how to improve the assessment of young children and how such assessments can improve services to children.

(c) REPORT.—The Goals Panel shall provide reports on the work of the Groups to the Congress, the Secretary, and the public.

PART B—NATIONAL EDUCATION STANDARDS AND IMPROVEMENT COUNCIL

SEC. 311. PURPOSE.

The purpose of this part is to establish a mechanism to—

(1) certify and regularly review voluntary national content and student performance standards that define what all students should know and be able to do;

(2) certify content and student performance standards submitted by States on a voluntary basis, if such standards are of equal or higher quality to the voluntary national content and student performance standards certified by the National Education Standards and Improvement Council;

(3) certify and regularly review voluntary national opportunity-to-learn standards that describe the conditions of teaching and learning necessary for all students to have a fair opportunity to achieve the knowledge and skills described in the voluntary national content and student performance standards certified by the National Education Standards and Improvement Council;

(4) certify opportunity-to-learn standards submitted by States on a voluntary basis, if such standards are of equal or higher quality as compared with the voluntary national opportunity-to-learn standards; and

(5) certify systems of assessments submitted by States on a voluntary basis, if such systems are aligned with State content standards certified by the National Education Standards and Improvement Council and if such systems are valid, reliable, and consistent with relevant, nationally recognized, professional and technical standards for assessment when used for their intended purposes.

SEC. 212. NATIONAL EDUCATION STANDARDS AND IMPROVEMENT COUNCIL.

(a) ESTABLISHMENT.—There is established in the executive branch a National Education Standards and Improvement Council (referred to in this title as the "Council").

(b) COMPOSITION.—The Council shall be composed of twenty members (referred in this part as "members") who shall be appointed as follows:

(1) 8 members (2 from each of subparagraphs (A) through (D) of subsection (c)(1)) shall be appointed by the President;

(2) 4 members (1 from each of subparagraphs (A) through (D) of subsection (c)(1)) shall be appointed by the Speaker of the House of Representatives, in consultation with the majority and minority leaders of House;

(3) 4 members (1 from each of subparagraphs (A) through (D) of subsection (c)(1)) shall be appointed by the majority leader of the Senate, in consultation with the minority leader of the Senate; and

(4) 4 members (1 from each of subparagraphs (A) through (D) of subsection (c)(1)) shall be appointed by the National Education Goals Panel.

(c) QUALIFICATIONS.—(1) The members of the Council shall include—

(A) 5 professional educators, including elementary and secondary classroom teachers, preschool educators and other school-based professionals, local district or State administrators, related service personnel, and other educators;

(B) 5 representatives of business and industry, organized labor, and post-secondary educational institutions, including at least 1 representative of post-secondary educational institutions, at least 1 representative of organized labor, and at least 1 representative of business who is also a member of the National Skill Standards Board;

(C) 5 representatives of the public, including representatives of advocacy, civil rights and disability groups, parents, civic leaders, and local and State education policymakers (including State, local, or tribal school boards); and

(D) 5 education experts, including experts in measurement and assessment, curriculum, schcol finance and equity, and school reform.

(2) To the extent feasible, the membership of the Council shall be geographically representative of the United States and reflect the diversity of the United States with regard to race, ethnicity, gender, and disability characteristics.

(3) One-third of the Council shall consist of individuals with expertise in the educational needs of children who are from low-income families, minority backgrounds, have limited-English proficiency, or have disabilities.

(d) TERMS.—(1) Members shall be appointed for 3-year terms, with no member serving more than 2 consecutive terms.

(2) The Council shall establish by lot initial terms for individuals of one, two, or three years in order to establish a rotation in which one third of the members are selected each year.

(e) DATE OF APPOINTMENT.—The initial members shall be appointed not later than 120 days after the date of enactment of this Act.

(f) INITIATION.—The Council shall begin to carry out the duties of the Council under this part when all 20 members have been appointed.

(g) RETENTION.—In order to retain an appointment to the Council, a member must attend at least two-thirds of the scheduled meetings of the Council in any given year.

(h) VACANCY.—A vacancy on the Council shall not affect the powers of the Council, but shall be filled in the same manner as the original appointment.

(i) COMPENSATION.—Members of the Council who are not regular full-time employees of the United States may, while attending meetings or hearings of the Council, be provided compensation at a rate fixed by the Secretary, but not exceeding the maximum rate of basic pay payable for GS–15 of the General Schedule.

(j) CONFLICT OF INTEREST.—(1) A member of the Council may not concurrently serve as a member of the Goals Panel.

(2) Section 208 of title 18 of the United States Code shall apply to members of the Council except that, for the purposes of making written determinations under subsection (b)(1), the Government official responsible for the appointment of any member of the Council is deemed to be the Director of the Office of Government Ethics.

(3) A member of the Council who resides in a State which has developed standards and assessments may not participate in Council consideration of such standards and assessments.

(k) TRAVEL.—Each member of the Council may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for each day the member is engaged in the performance of duties away from the home or regular place of business of the member.

(l) OFFICERS.—The members of the Council shall select officers from among its members. The officers of the Council shall serve for one-year terms.

SEC. 213. DUTIES.

(a) VOLUNTARY NATIONAL CONTENT STANDARDS.—(1) The Council shall—

(A) identify areas in which voluntary national content standards need to be developed;

(B) certify voluntary national content and student performance standards using the criteria developed under paragraph (2)(A)(i), that define what all students should know and be able to do;

(C) forward such voluntary national content and student performance standards to the Goals Panel for review and comment; and

(D) develop a process for regularly reviewing any national voluntary content, student performance, and opportunity-to-learn standards that have been certified.

(2)(A) The Council shall—

(i) identify and develop criteria to be used for certifying the voluntary national content and student performance standards; and

(ii) before applying such criteria, forward them to the Goals Panel for review and comment.

(B) The criteria developed by the Council shall address—

(i) the extent to which the proposed standards are internationally competitive and comparable to the best in the world;

(ii) the extent to which the proposed content and student performance standards reflect the best available knowledge about how all students learn and about how the content area can be most effectively taught;

(iii) the extent to which the proposed content and student performance standards have been developed through an open and public process that provides for input and involvement of all relevant parties, including teachers, related services personnel, and other professional educators, employers and postsecondary education institutions, curriculum and subject matter specialists, parents, advocacy groups, and the public; and

(iv) other factors that the Council deems appropriate.

(C) In developing the criteria, the Council shall work with entities that are developing, or have already developed, content and student performance standards, and any other entities that the Council deems appropriate, to identify appropriate certification criteria.

(b) VOLUNTARY STATE CONTENT STANDARDS.—The Council may certify content and student performance standards presented on a voluntary basis by States, using the criteria developed under subsection (a)(2)(A)(i), if such standards are of equal or higher quality to the voluntary national content and student performance standards certified by the Council.

(c) VOLUNTARY NATIONAL OPPORTUNITY-TO-LEARN STANDARDS.—(1) The Council shall certify exemplary, voluntary national opportunity-to-learn standards that will establish a basis for providing all students a fair opportunity to achieve the knowledge and skills set out in the voluntary national content standards certified by the Council.

(2) The voluntary national opportunity-to-learn standards certified by the Council shall address—

(A) the quality and availability of curricula, instructional materials, and technologies, including distance learning, to all students;

(B) the capability of teachers to provide high-quality instruction to meet diverse learning needs in each content area to all students;

(C) the extent to which teachers, principals, and administrators have ready and continuing access to professional development, including the best knowledge about teaching, learning, and school improvement;

(D) the extent to which curriculum, instructional practices, and assessments are aligned to content standards;

(E) the extent to which school facilities provide a safe and secure environment for learning and instruction and have the requisite libraries, laboratories, and other resources necessary to provide an opportunity to learn;

(F) the extent to which schools utilize policies, curricula, and instructional practices which ensure nondiscrimination on the basis of gender; and

(G) other factors that the Council deems appropriate to ensure the students receive a fair opportunity to achieve the knowledge and skills described in the voluntary content and student performance standards certified by the Council.

(3) In carrying out this subsection, the Council shall—

(A) identify what countries with rigorous content standards do to—

(i) provide their children with opportunities to learn;
(ii) prepare their teachers; and
(iii) provide continuing professional development opportunities for their teachers; and

(B) develop criteria to be used for certifying the voluntary national and State opportunity-to-learn standards and, before applying such criteria, forward them to the Goals Panel for review and comment.

(4) The Council shall assist in the development of the voluntary national opportunity-to-learn standards developed by the consortium under section 219 by—

(A) making recommendations to the Secretary regarding priorities and selection criteria for the award made under section 219; and

(B) coordinating with the consortium receiving an award under section 219 to ensure that the opportunity-to-learn standards the consortium develops are appropriate for the needs of all students, are of high quality, and are consistent with the criteria developed by the Council for the certification of such standards.

(5) The Council shall forward the voluntary national opportunity-to-learn standards it certifies to the Goals Panel for review and comment.

(d) VOLUNTARY STATE OPPORTUNITY-TO-LEARN STANDARDS.—The Council may certify opportunity-to-learn standards submitted voluntarily by a State, using the criteria developed under subsection (c)(3)(B), if such standards are of equal or higher quality as compared to the voluntary national opportunity-to-learn standards.

(e) GENERAL PROVISION REGARDING VOLUNTARY NATIONAL STANDARDS.—The Council may certify voluntary national content, student performance, and opportunity-to-learn standards if such standards are sufficiently general to be used by any State without restricting State and local control of curriculum and prerogatives regarding instructional methods to be employed.

(f) ASSESSMENTS.—(1)(A) The Council may certify a system of assessments that is submitted voluntarily by a State, using the criteria developed under paragraph (2)(A), if such system is aligned with the State's content standards certified by the Council.

(B) Systems of assessments shall be certified by the Council for the purposes of—

(i) informing students, parents, teachers, and related services personnel about the progress of all students toward the standards;

(ii) improving classroom instruction and improving the learning outcomes for all students;

(iii) exemplifying for students, parents, and teachers the kinds and levels of achievement that should be expected of all students, including the identification of student performance standards;

(iv) measuring and motivating individual students, schools, districts, States, and the Nation to improve educational performance; and

(v) assisting education policymakers in making decisions about education programs.

(C) The Council shall certify a system of assessments only if—

(i) the State has established or adopted opportunity-to-learn standards; and

(ii) such system will not be used to make decisions regarding graduation, grade promotion, or retention of students for a period of five years from the date of enactment of this Act.

(2)(A) The Council shall develop and, no sooner than three years or later than four years after the enactment of this Act, begin utilizing criteria for the certification of assessment systems for the purposes indicated in paragraph (1)(B). Before using such criteria, the Council shall forward the criteria to the Goals Panel for review and comment.

(B) The certification criteria developed by the Council shall address the extent to which the assessment system—

(i) is aligned with State content standards certified by the Council; and

(ii) is to be used for a purpose for which it is valid, reliable, free of discrimination, and is consistent with relevant, nationally recognized professional and technical standards for assessment.

(C) In determining appropriate certification criteria, the Council shall—

(i) consider standards and criteria being developed by other national organizations, research on assessment, and emerging new State and local assessments;

(ii) recommend needed research;

(iii) encourage the development and field testing of systems of assessments; and

(iv) provide a public forum for discussing, debating, and building consensus for the criteria to be used for the certification of assessment systems.

(D) Prior to determining the certification criteria, the Council shall seek public comment regarding the proposed criteria.

(E) The Council shall certify a system of assessments only if such system includes all students.

(g) PERFORMANCE OF DUTIES.—In carrying out its responsibilities under this title, the Council shall—

(1) provide for a process of broad public input as part of the process of developing criteria for standards and assessments;

(2) work with Federal and non-Federal agencies and organizations which are conducting research, studies, or demonstration projects to determine internationally competitive standards and assessments, and may establish subject matter and other panels to advise it on particular content, student performance, and opportunity-to-learn standards and on assessments;

(3) shall establish cooperative arrangements with the National Skill Standards Board to promote the coordination of the development of content and student performance standards under this title with the development of skill standards under title IV of this Act;

(4) recommend studies to the Secretary that are necessary to carry out the Council's responsibilities;

(5) inform the public about what constitutes high quality, internationally competitive, content, student performance, and opportunity-to-learn standards, and assessment systems;

(6) on a regular basis, review and update criteria for certifying content, student performance, and opportunity-to-learn standards, and assessment systems; and

(7) periodically recertify, as appropriate, the voluntary national content and student performance standards, and the voluntary national opportunity-to-learn standards that it certifies under this section.

SEC. 214. ANNUAL REPORTS.

Not later than one year after the date the Council concludes its first meeting, and in each succeeding year, the Council shall prepare and submit a report to the President, the Secretary, the appropriate committees of Congress, the Governor of each State, and the Goals Panel regarding its work.

SEC. 215. POWERS OF THE COUNCIL.

(a) HEARINGS.—(1) The Council shall, for the purpose of carrying out its responsibilities, conduct such hearings, sit and act at such times and places, take such testimony, and receive such evidence, as the Council considers appropriate.

(2) In carrying out this part, the Council shall conduct public hearings in different geographic areas of the United States, both urban and rural, to receive the reports, views, and analyses of a broad spectrum of experts and the public on the establishment of voluntary national content, student performance, and opportunity-to-learn standards, and assessment systems.

(b) INFORMATION.—The Council may secure directly from any department or agency of the United States information necessary to enable the Council to carry out this part. Upon request of the Chairperson of the Council, the head of a department or agency shall furnish such information to the Council to the extent permitted by law.

(c) POSTAL SERVICES.—The Council may use the United States mail in the same manner and under the same conditions as other departments and agencies of the United States.

(d) GIFTS; USE OF FACILITIES.—The Council may—

(1) accept, administer, and utilize gifts or donations of services, money, or property, whether real or personal, tangible or intangible; and

(2) with their consent, use the research, equipment, services, and facilities of any agency or instrumentality of the United States, or of any State or political subdivision thereof.

(e) ADMINISTRATIVE ARRANGEMENTS AND SUPPORT.—(1) The Secretary shall provide to the Council, on a reimbursable basis, such administrative support services as the Council may request.

(2) The Secretary shall, to the extent appropriate, and on a reimbursable basis, make contracts and other arrangements that are requested by the Council to help it compile and analyze data or carry out other functions necessary to the performance of its responsibilities.

SEC. 216. PUBLICATION FOR PUBLIC COMMENT.

(a) TRANSMITTAL.—For the purpose of obtaining public comment through publication in the Federal Register, the Council shall transmit to the Secretary—

(1) proposed criteria for certifying national and State content and performance standards;

(2) proposed criteria for certifying national and State opportunity-to-learn standards;

(3) proposed criteria for certifying State assessment systems; and

(4) proposed national content and opportunity-to-learn standards.

(b) PUBLICATION.—The Secretary shall publish such proposed procedures, standards, and criteria in the Federal Register.

SEC. 217. ADMINISTRATIVE PROVISIONS.

(a) MEETINGS.—The Council shall meet on a regular basis, as necessary, at the call of the Chairperson of the Council, or a majority of its members.

(b) QUORUM.—A majority of the members shall constitute a quorum for the transaction of business.

(c) VOTING.—The Council shall take all action of the Council by a majority vote of the total membership of the Council, ensuring the right of the minority to issue written views. No individual may vote or exercise any of the powers of a member by proxy.

(d) PUBLIC ACCESS.—The Council shall ensure public access to its proceedings (other than proceedings, or portions of proceedings, relating to internal personnel and management matters) and make available to the public, at reasonable cost, transcripts of such proceedings.

SEC. 218. DIRECTOR AND STAFF; EXPERTS AND CONSULTANTS.

(a) DIRECTOR.—The Chairperson of the Council shall, without regard to the provisions of title 5, United States Code, relating to the appointment and compensation of officers or employees of the United States, appoint a Director to be paid at a rate not to exceed the rate of basic pay payable for level V of the Executive Schedule.

(b) APPOINTMENT AND PAY OF EMPLOYEES.—(1)(A) The Director may appoint not more than four additional employees to serve as staff to the Council without regard to the provisions of title 5, United States Code, governing appointments in the competitive service.

(B) The employees appointed under subparagraph (A) may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates, but shall not be paid a rate that exceeds the maximum rate of basic pay payable for GS–15 of the General Schedule.

(2) The Director may appoint additional employees to serve as staff of the Council consistent with title 5, United States Code.

(c) EXPERTS AND CONSULTANTS.—The Council may procure temporary and intermittent services under section 3019(b) of title 5, United States Code.

(d) STAFF OF FEDERAL AGENCIES.—Upon the request of the Council, the head of any department or agency of the United States may detail any of the personnel of such department or agency to the Council to assist the Council in its duties under this part.

SEC. 219. OPPORTUNITY-TO-LEARN DEVELOPMENT GRANT.

(a) OPPORTUNITY-TO-LEARN DEVELOPMENT GRANT.—(1) The Secretary is authorized to make a grant, on a competitive basis, to a consortium of individuals and organizations to develop voluntary national opportunity-to-learn standards consistent with the provisions of section 213(c).

(2) To the extent possible, such consortium shall include the participation of—

(A) State-level policymakers, such as Governors, State legislators, chief State school officers, and State school board members;

(B) local policymakers and administrators, such as local school board members, superintendents, and principals;

(C) teachers (especially teachers involved in the development of content standards);

(D) parents and individuals with experience in promoting parental involvement in education;

(E) representatives of business;

(F) experts in vocational-technical education;

(G) representatives of regional accrediting associations;

(H) individuals with expertise in school finance and equity, the education of at-risk students, and the preparation and training of teachers and school administrators;

(I) curriculum and school reform experts;

(J) student and civil rights advocacy groups;

(K) representatives of higher education; and

(L) secondary school students.

(3) In developing voluntary national opportunity-to-learn standards, such consortium shall—

(A) draw upon current research about student achievement and the necessary conditions for effective teaching and learning; and

(B) provide for the development of several consecutive drafts of standards which incorporate the comments and recommendations of educators and other knowledgeable individuals across the Nation.

(4) One-third of the consortium shall consist of individuals with expertise in the educational needs and assessment of children who are from low-income families, minority backgrounds, have limited-English proficiency, or have disabilities.

(5) The membership of the consortium shall be geographically representative and reflect the racial, ethnic, and gender diversity of the United States.

(b) APPLICATIONS.—(1) Any consortium that desires to receive a grant under this subsection shall submit an application to the Secretary at such time, in such manner, and containing such information and assurances as the Secretary may require.

(2) In awarding such grant, the Secretary shall give priority to applications from consortia which involve individuals and organizations with the greatest diversity of perspectives and points of view.

(3) In establishing additional priorities and selection criteria for such grant, the Secretary shall give serious consideration to the recommendations made by the Council pursuant to section 213(c)(4)(A).

(c) REPORT.—After the development of the voluntary national opportunity-to-learn standards, the consortium funded under this section shall submit a report to the Secretary which discusses the background, important issues, and rationale regarding such standards.

SEC. 230. ASSESSMENT DEVELOPMENT AND EVALUATION GRANTS.

(a) GENERAL.—(1) The Secretary is authorized to make grants to States and local educational agencies or consortia of such agencies to help defray the cost of developing, field testing, and evaluating systems of assessments, to be used for some or all of the purposes indicated in section 213(f)(1)(B), that are aligned to State content standards certified by the Council.

(2) The Secretary shall reserve a portion of the funds allocated under section 219(a)(1) for grants to State educational agencies and local educational agencies for purposes of developing such assessments in languages other than English.

(b) APPLICATIONS.—A State, local educational agency, or consortium of such agencies that desires to receive a grant under subsection (a)(1) shall submit an application to the Secretary at such time, in such manner, and containing such information and assurances as the Secretary may require.

(c) REQUIREMENTS.—(1) A recipient of a grant under this section shall—

(A) examine the validity and reliability of an assessment, or system of assessments, for the particular purposes for which such assessment or system was developed;

(B) ensure that an assessment, or system of assessments, is consistent with relevant, nationally recognized professional and technical standards for assessments; and

(C) devote special attention to how an assessment, or system of assessments, treats all students, especially with regard to the race, gender, ethnicity, disability, and language proficiency.

(2) An assessment, or system of assessments, developed and evaluated with funds under this section may not be used for decisions about individual students relating to program placement, promotion, or retention, graduation, or employment for a period of five years from the date of enactment of this Act.

SEC. 231. EVALUATION.

(a) GRANT.—From funds reserved under section 304(a)(2), the Secretary annually shall make a grant, in an amount not to exceed $500,000, to the Commission on Behavioral and Social Sciences and Education of the National Academy of Sciences (referred to in this part as the Commission) to—

(1) evaluate—

(A) the technical quality of the work performed by the Goals Panel and the Council;

(B) the process the Council uses to develop criteria for certification of standards and assessments;

(C) the process the Council uses to certify voluntary national standards as well as standards and assessments voluntarily submitted by States; and

(D) the process the Goals Panel uses to approve certification criteria and voluntary national standards;

(2) periodically provide to the Goals Panel and the Council, as appropriate, information from the evaluation under paragraph (1); and

(3) report on the activities authorized under sections 219 and 220.

(b) REPORT.—The Commission shall periodically report to the Congress, the Secretary, and the public regarding findings and shall make a final report not later than January 1, 1998.

PART C—AUTHORIZATION OF APPROPRIATIONS

SEC. 231. AUTHORIZATION OF APPROPRIATIONS.

(a) NATIONAL EDUCATION GOALS PANEL.—There are authorized to be appropriated $3,000,000 for fiscal year 1994 and such sums as may be necessary for each of the four succeeding fiscal years to carry out part A of this title.

(b) NATIONAL EDUCATION STANDARDS AND IMPROVEMENT COUNCIL.—There are authorized to be appropriated $3,000,000 for fiscal year 1994 and such sums as may be necessary for each of the fiscal years 1995 through 1998 to carry out part B of this title.

(c) OPPORTUNITY-TO-LEARN DEVELOPMENT GRANT.—There are authorized to be appropriated $3,000,000 for fiscal year 1994 and such sums as may be necessary for fiscal year 1995 to carry out the Opportunity-to-Learn Development Grant Program established under section 219 of this title.

(d) ASSESSMENT DEVELOPMENT AND EVALUATION GRANTS.—There are authorized to be appropriated $5,000,000 for fiscal year 1994 and such sums as may be necessary for each of the fiscal years 1995 through 1998 to carry out the Assessment Development and Evaluation Grants Program established under section 220 of this title.

TITLE III—STATE AND LOCAL EDUCATION SYSTEMIC IMPROVEMENT

SEC. 301. CONGRESSIONAL FINDINGS.

The Congress finds that—

(1) all students can learn and achieve high standards and must realize their potential if the United States is to prosper;

(2) the reforms in education of the last 15 years have achieved some good results, but these efforts often have been limited to a few schools or to a single part of the educational system;

(3) leadership must come both from teachers, related services personnel, principals, and parents in individual schools and from policymakers at the local, State, tribal, and national levels, in order for lasting improvements in student performance to occur;

(4) simultaneous top-down and bottom-up education reform is necessary to spur creative and innovative approaches by individual schools to help all students achieve internationally competitive standards;

(5) strategies must be developed by communities and States to support the revitalization of all local public schools by fundamentally changing the entire system of public education through comprehensive, coherent, and coordinated improvement in order to increase student learning;

(6) parents, teachers, and other local educators, and business, community, and tribal leaders must be involved in developing systemwide improvement strategies that reflect the needs of their individual communities;

(7) State and local education improvement efforts must incorporate strategies for providing all students and families with coordinated access to appropriate social services, health care, nutrition, and child care to remove preventable barriers to learning and enhance school readiness for all students;

(8) States and local educational agencies, working together, must immediately set about developing and implementing such systemwide improvement strategies if the Nation is to educate all children to meet their full potential and achieve the National Education Goals listed in title I of this Act;

(9) State and local systemic improvement strategies must provide all students with effective mechanisms and appropriate paths to the workforce as well as to higher education;

(10) business should be encouraged to enter into partnerships with schools, provide information and guidance to schools on the needs of area business for properly educated graduates in general and on the need for particular work-

place skills, that the schools may provide necessary material and support, and continue the lifelong learning process throughout the employment years of an individual, and schools should provide information to business regarding how the business community can assist schools in meeting the goals of this Act;

(11) institutions of higher education should be encouraged to enter into partnerships with schools to provide information and guidance to schools on the skills and knowledge graduates need in order to enter and successfully complete postsecondary education, and schools should provide information and guidance to institutions of higher education on the skills, knowledge, and preservice training teachers need, and the types of professional development educators need in order to meet the goals of this Act;

(12) the appropriate and innovative use of technology, including distance learning, can be very effective in helping to bring all students the opportunity to learn and meet high standards; and

(13) Federal funds should be targeted to support local and State initiatives, and to leverage State and local resources for designing and implementing system-wide improvement plans.

SEC. 302. PURPOSE.

The purpose of this title is to improve the quality of education for all students by improving student learning through a long-term, broad-based effort to promote coherent and coordinated improvements in the system of education throughout the Nation at the local and State levels. This title provides new authorities and funding for the Nation's school systems without replacing or reducing funding for existing Federal education programs. It is the intention of the Congress that no State or local educational agency will reduce its funding for education or for education reform on account of receiving any funds under this title.

SEC. 303. AUTHORIZATION OF APPROPRIATIONS.

For the purpose of carrying out this title, there are authorized to be appropriated $393,000,000 for the fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 through 1998.

SEC. 304. ALLOTMENT OF FUNDS.

(a) RESERVATIONS OF FUNDS.—From funds appropriated under section 303, the Secretary—

(1) shall reserve a total of one percent to provide assistance, in amounts determined by the Secretary—

(A) to the outlying areas; and

(B) to the Secretary of the Interior to benefit Indian students in schools operated or funded by the Bureau of Indian Affairs (referred to in this Act as the "Bureau"); and

(2) may reserve a total of up to 6 percent for—

(A) national leadership activities under section 313;

(B) the costs of peer review of State improvement plans and applications under this title; and

(C) evaluation activities under section 221.

(b) STATE ALLOTMENTS.—The Secretary shall allot the remaining amount appropriated under section 303 for each fiscal year to the States (which for the purposes of this subsection does not include the outlying areas) as follows:

(1) 50 percent of such remaining amount shall be allocated in accordance with the relative amounts such State received under chapter 1 of title I of the Elementary and Secondary Education Act of 1965 for the preceding fiscal year.

(2) 50 percent of such remaining amount shall be allocated in accordance with the relative amounts each such State received under part A of chapter 2 of title I of the Elementary and Secondary Education Act of 1965 for the preceding fiscal year.

(c) REALLOTMENTS.—If the Secretary determines that any amount of a State's allotment for any fiscal year under subsection (b) will not be needed for such fiscal year by the State, the Secretary shall reallot such amount to other States that need additional funds, in such manner as the Secretary determines is appropriate.

SEC. 305. STATE APPLICATIONS.

(a) GENERAL.—(1) If a State desires to receive a grant under this title, the State educational agency shall submit an application to the Secretary at such time and in such manner as the Secretary may determine.

(2) In addition to the information described in subsections (b) and (c), each such application shall include—

(A) an assurance that the State educational agency will cooperate with the Secretary in carrying out the Secretary's responsibilities under section 312, and will comply with reasonable requests of the Secretary for data related to the State's progress in developing and implementing its State improvement plan under this title;

(B) an assurance that State law provides adequate authority to carry out each component of the State's improvement plan developed, or to be developed under section 306, or that such authority will be sought;

(C) an assurance that the standards developed for student achievement are not less rigorous than student achievement standards used prior to the date of enactment of this Act;

(D) an assurance that the State will provide for broad public participation in the planning process; and

(E) such other assurances and information as the Secretary may require.

(b) FIRST YEAR.—A State's application for the first year of assistance under this title shall—

(1) describe the process by which the State will develop a school improvement plan that meets the requirements of section 306; and

(2) describe how the State educational agency will use funds received under this title for such year, including how the State educational agency will make subgrants to local educational agencies and for teacher training.

(c) SUBSEQUENT YEARS.—A State's second application under this title shall—

(1) cover the second through fifth years of its participation;

(2) include a copy of the State's improvement plan that meets the requirements of section 306 or, if the State plan is not complete, a statement of the steps it will take to complete the plan and a schedule for doing so; and

(3) include an explanation of how the State will use funds received under this title, including how it will make subgrants to local educational agencies and for teacher training under section 309(b)(1).

SEC. 306. STATE IMPROVEMENT PLANS.

(a) BASIC SCOPE OF PLAN.—Any State educational agency that wishes to receive a grant under this title after its first year of participation shall develop and implement a plan for the fundamental restructuring and improvement of elementary and secondary education in the State. This plan must address—

(1) in accordance with subsection (c), the establishment or adoption of challenging content and student performance standards for all students and the use of curricula, instructional practices, assessments, technology, parental involvement programs, and professional preparation and development approaches appropriate to help all students reach such standards;

(2) in accordance with subsection (d) and the factors described in section 213(c)(2), the establishment or adoption of opportunity-to-learn standards that will define the conditions of teaching and learning that provide all students the opportunity to meet the challenging content and student performance standards;

(3) in accordance with subsection (e), needed changes in the governance and management of the education system in order to effectively focus schools on, and assist them in, preparing all students to meet the challenging State standards;

(4) in accordance with subsection (f), comprehensive strategies to involve communities, including parents, businesses, libraries, institutions of higher education, employment and training agencies, health and human service agencies, advocacy groups, cultural institutions, and other public and private agencies that provide social services, health care, child care, early childhood education, and nutrition to students, in helping all students meet the challenging State standards;

(5) in accordance with subsection (g), strategies for ensuring that all local educational agencies and schools within the State are involved in developing and implementing needed improvements within a specified period of time;

(6) in accordance with subsection (h), strategies for ensuring that comprehensive, systemic reform is promoted from the bottom up in communities, local educational agencies, and schools; and

(7) the needs of the children, ages 5 through 18, who are out of school and the extent to which such children can be brought back into the education system and meet the standards set forth in this Act.

(b) PLAN DEVELOPMENT.—(1) A State improvement plan under this title must be developed by a broad-based panel (referred to in this title as the "panel") in cooperation with the State educational agency and the Governor. The panel shall include—

(A) the Governor and the chief State school officer, or their designees;

(B) the chairman of the State board of education and the chairmen of the appropriate authorizing committees of the State legislature, or their designees;

(C) teachers, principals, and administrators who have successfully improved student performance and deans of colleges of education;

(D) representatives of teacher organizations, parents, institutions of higher education, business and labor leaders, community-based organizations, Indian tribes, local boards of education, State and local officials responsible for health, social services, and other related services, and others, as appropriate;

(E) representatives from rural and urban local educational agencies in the State; and

(F) experts in educational measurement and assessment.

(2) The Governor and the chief State school officer shall each appoint half the members of the State panel. The full panel shall establish the procedures regarding the operation of the panel, including the designation of the panel chairperson.

(3) To the extent feasible, the membership of the panel shall be geographically representative of the State and reflect the diversity of the population of the State with regard to race, ethnicity, gender, and disability characteristics.

(4) One-third of the panel members shall be individuals with expertise in the educational needs and assessments of children who are from low-income families, minority group backgrounds, have limited-English proficiency, or have disabilities.

(5) The panel shall consult the Governor, the chief State school officer, the State board of education, and relevant committees of the State legislature in developing the plan.

(6) The panel shall be responsible for conducting a statewide, grassroots outreach process, including conducting public hearings, to involve educators, related services personnel, parents, secondary school students, local officials, private nonprofit elementary and secondary schools, community and business leaders, Indian tribes, citizens, children's advocates, and others with a stake in the success of students and their education system, and who are representative of the diversity of the State and its student population, in the development of the State plan and in a continuing dialog regarding the need for and nature of challenging standards for all students and local and State responsibilities for helping all students achieve them.

(7) The panel shall develop a continuing process for interacting with local educational agencies and individual schools engaged in systemic reform, especially including local educational agencies and schools which receive subgrants under section 309 of this Act, to ensure that the development and implementation of the State plan reflects their needs and experiences.

(8) The panel shall develop a State plan, provide opportunity for public comment, and submit the State plan to the State educational agency for approval.

(9) The State educational agency shall submit the original State improvement plan developed by the panel and the State improvement plan if modified by such agency, together with an explanation of any changes made by such agency to the plan developed by the panel, to the Secretary for approval.

(10) If any portion of the State plan addresses matters that, under State or other applicable law, are not under the authority of the State educational agency, the State educational agency shall obtain the approval of, or changes to, such portion, with an explanation from the Governor or other official responsible for that portion before submitting the plan to the Secretary.

(11) After approval of the State plan by the Secretary, the panel, in close consultation with teachers, principals, administrators, school boards, advocacy groups, advocates of children with disabilities and parents in local educational agencies and schools receiving funds under this title, shall monitor the implementation and effectiveness of the State plan to determine if revisions are appropriate, and shall periodically report its findings to the public.

(c) TEACHING, LEARNING, STANDARDS, AND ASSESSMENTS.—Each State plan shall establish strategies and a timetable for improving teaching and learning, including—

(1) a process for developing or adopting challenging content and student performance standards for all students which includes coordinating the standards developed pursuant to section 115 of the Carl D. Perkins Vocational and Applied Technology Education Act of 1990;

(2) a process for providing assistance and support to local educational agencies and schools to give them the capacity and responsibility to provide all students the opportunity to increase education achievement and meet challenging State content and student performance standards;

(3) assessing the effectiveness and equity of the school finance program of the State to identify disparities in the resources available to each local educational

agency and school in such State and how such disparities affect the ability of the State educational agency and local educational agencies to develop and implement plans under this title;

(4) a process for developing, adopting, or recommending instructional materials, including gender equitable and multicultural materials, and technology to support and assist local educational agencies and schools to provide all students the opportunity to meet the challenging State content and student performance standards;

(5) a process for developing and implementing a valid and nondiscriminatory assessment system or set of locally-based assessment systems which are consistent with relevant, nationally recognized, professional and technical standards for assessment, and are capable of providing coherent information about student attainments relative to the State content standards;

(6) a process for monitoring the implementation of such system or systems and the impact on improved instruction for all students;

(7) a process for improving the State's system of teacher and school administrator preparation, licensure, and continuing professional development so that all teachers, related services personnel, and administrators develop the subject matter and pedagogical expertise needed to prepare all students to meet the challenging standards under paragraph (1);

(8) a process for providing appropriate and effective professional development, including the use of technology, distance learning, and gender-equitable methods, necessary for teachers, school administrators, and others to help all students meet the challenging standards under paragraph (1); and

(9) a process to ensure widespread participation of classroom teachers in developing the portions of the plan described in this subsection.

(d) OPPORTUNITY-TO-LEARN STANDARDS.—Each State plan shall establish a strategy and timetable for—

(1) adopting or establishing opportunity-to-learn standards prior to or simultaneous with the establishment or adoption of challenging content and student performance standards;

(2) ensuring that every school in the State is making demonstrable progress toward meeting the State's opportunity-to-learn standards;

(3) ensuring that the State's opportunity-to-learn standards address the need of all students;

(4) providing for periodic, independent assessments of the extent to which opportunity to learn standards are being met throughout the State; and

(5) periodically reporting to the public on the extent of the State's improvement in achieving such standards and providing all students with a fair opportunity to achieve the knowledge and skill levels that meet the State's content and student performance standards.

(e) GOVERNANCE AND MANAGEMENT.—Each State plan shall establish strategies for improved governance and management of its education system, such as—

(1) aligning responsibility, authority, and accountability throughout the education system, so that decisions regarding content and student performance standards are coordinated and decisions regarding the means for achieving such standards are made closest to the learners;

(2) creating an integrated and coherent approach to attracting, recruiting, preparing and licensing, appraising, rewarding, retaining, and supporting the continued professional development of teachers (including vocational teachers), administrators, and other educators, including bilingual educators and special education providers, so that there is a highly talented workforce of professional educators capable of preparing all students to reach challenging standards, with special attention to the recruitment, training, and retention of qualified minorities into the education profession within the State to ensure that the profession reflects the racial and ethnic diversity of the student population;

(3) providing incentives for high performance, such as—

(A) working with employers and institutions of higher education to devise strategies to reward student achievement;

(B) incentives for classroom teachers, principals, and other professional educators to participate in professional development activities; and

(C) school-based incentives for schools and local educational agencies to improve student performance;

(4) increasing the proportion of State and local funds allocated to direct instructional purposes; and

(5) increasing flexibility for local educational agencies and schools by, for example—

(A) waiving State regulations and other requirements that impede educational improvement;

(B) focusing accountability on educational outcomes rather than monitoring compliance with input requirements; and

(C) fostering conditions that allow teachers, principals, and parents in the school community to be creative in helping all students meet challenging standards.

(f) PARENTAL AND COMMUNITY SUPPORT AND INVOLVEMENT.—Each State plan shall describe strategies for how the State will involve parents and other community members in planning, designing, and implementing its plan, including such strategies as—

(1) educating the public about the need for higher standards, systemic improvement, and awareness of diverse learning needs;

(2) involving parents, communities, and advocacy groups in the standard-setting and improvement process;

(3) linking the family and school in supporting students to meet the challenging student content and performance standards established;

(4) reporting, on an ongoing basis, to parents, educators, and the public on the progress in implementing the plan and improving student performance;

(5) focusing public and private community resources and public school resources on prevention and early intervention to address the needs of all students by—

(A) identifying and removing unnecessary regulations and obstacles to coordination;

(B) improving communication and information exchange; and

(C) providing appropriate training to agency personnel; and

(6) increasing the access of all students to social services, health care, nutrition, related services, and child care services, and locating such services in schools, cooperating service agencies, community-based centers, or other convenient sites designed to provide "one-stop shopping" for parents and students.

(g) MAKING THE IMPROVEMENTS SYSTEMWIDE.—To help provide all students throughout the State the opportunity to meet challenging State standards, each State plan shall describe strategies such as—

(1) ensuring that the improvement efforts expand from the initial local educational agencies, schools, and educators involved to all local educational agencies, schools, and educators in the State education system through such approaches as teacher and administrator professional development, technical assistance, whole school projects, intensive summer training, and networking of teachers and other educators, consortia of schools, and local educational agencies undertaking similar improvements;

(2) developing partnerships among preschools, elementary and secondary schools, institutions of higher education, cultural institutions, health and social service providers, and employers to improve teaching and learning at all levels of the education system for all students and to foster collaboration and continuous improvement;

(3) strategies to provide for the close coordination of standards development and improvement efforts among institutions of higher education and secondary, and elementary schools;

(4) conducting parental involvement activities and outreach programs aimed at parents whose language is a language other than English, individuals with disabilities, and other special populations, including American Indians, Alaskan Natives, and Native Hawaiians, to involve all segments of the community in the development of the State plan;

(5) developing partnerships with Indian tribes and schools funded by the Bureau, where appropriate, to improve consistency and compatibility in curriculum among public and such schools funded by the Bureau at all grade levels;

(6) allocating all available local, State, and Federal resources to achieve system-wide improvement;

(7) providing for the development of objective criteria and measures against which the success of local plans will be evaluated;

(8) providing for the availability of curricular materials, learning technologies, including distance learning, and professional development in a manner ensuring equal access by all local educational agencies in the State;

(9) taking steps to ensure that all local educational agencies, schools, and educators in the State benefit from successful programs and practices supported by funds made available to local educational agencies and schools under this title; and

(10) providing assistance to students, teachers, schools, and local educational agencies that are identified through the assessment system developed under subsection (c)(5) as needing such assistance.

(h) PROMOTING BOTTOM-UP REFORM.—Each State plan shall include strategies for ensuring that comprehensive, systemic reform is promoted from the bottom up in communities, local educational agencies, and schools, as well as guided by coordination and facilitation from State leaders, including strategies such as—

(1) ensuring that the State plan is responsive to the needs and experiences of local educational agencies, schools, teachers, the community, and parents;

(2) establishing mechanisms for continuous input from local schools, communities, advocacy groups, institutions of higher education, and local educational agencies into, and feedback on, the implementation of the State plan;

(3) providing discretionary resources that enable teachers and schools to purchase needed professional development and other forms of assistance consistent with their improvement plan from high-quality providers of their choice;

(4) establishing collaborative networks of teachers centered on content standards and assessments for the purpose of improving teaching and learning;

(5) providing flexibility to individual schools and local educational agencies to enable them to adapt and integrate State content standards into courses of study appropriate for individual schools and communities;

(6) facilitating the provision of waivers from State rules and regulations that impede the ability of local educational agencies or schools to carry out local education improvement plans; and

(7) facilitating communication among educators within and between local educational agencies for the purpose of sharing innovative and effective practices, including, through the use of telecommunications, distance learning, site visits, and other means.

(i) BENCHMARKS AND TIMELINES.—Each State plan shall include specific benchmarks of improved student performance and of progress in implementing the improvement plan, and timelines against which the progress of the State in carrying out its plan, including the elements described in subsections (c) through (h), can be measured.

(j) COORDINATING STRATEGIES.—Each State plan shall include strategies for coordinating the integration of academic and vocational instruction pursuant to the Carl D. Perkins Vocational and Applied Technology Education Act.

(k) PROGRAM IMPROVEMENT AND ACCOUNTABILITY.—Each State shall describe—

(1) how the State will monitor progress towards implementing the State and local plans; and

(2) procedures the State will use to ensure schools and school districts meet State opportunity-to-learn and content standards within the established time lines.

(l) PEER REVIEW AND SECRETARIAL APPROVAL.—(1) The Secretary shall review each State improvement plan prepared under this section, and each application submitted under section 305, with the assistance and advice of State and local education policymakers, educators, classroom teachers, related services personnel, experts on educational innovation and improvement, parents, advocates for children with disabilities, representatives of other advocacy groups, and other appropriate individuals. The peer review process shall be performed by individuals representative of the diversity of the United States with regard to geography, race, ethnicity, gender, and disability. The review process shall include at least one site visit to each State.

(2) The Secretary shall approve a State's plan when the Secretary determines, after considering the peer reviewers' comment, that it—

(A) reflects a widespread commitment within the State;

(B) holds reasonable promise of enabling all students to achieve at the high levels called for by this Act;

(C) meets the requirements of subsections (a) through (k); and

(D) allows local schools, local educational agencies and communities the flexibility to implement local improvement plans in a manner which reflects local needs and requirements in order to promote a 'bottom up' system of school reform.

(3) The Secretary shall not decline to approve a State's plan, or any State application submitted under section 305, before offering the State—

(A) an opportunity to revise its plan or application; and

(B) a hearing.

(m) REGULAR REVIEW.—Each State plan shall include a process for regularly reviewing and updating any State content, student performance, and opportunity-to-learn standards and systems of assessments.

(n) AMENDMENTS TO PLAN.—(1) Each State shall periodically review its plan and revise it, as appropriate, in accordance with the process described in subsection (b).

(2) The Secretary shall review major amendments to a State's plan through the same process, described in subsection (j), used to review the original plan.

(o) PREEXISTING STATE PLANS AND PANELS.—(1) If a State has developed a comprehensive and systemic improvement plan to help all students meet challenging standards, or any component of such a plan, that otherwise meets the requirements of this section, the Secretary may approve such plan or component notwithstanding that it was not developed in accordance with subsection (b), if the Secretary determines that such approval would further the purposes of State systemic education improvement.

(2) If, before the enactment of this Act, a State has made substantial progress in developing a plan that otherwise meets, or is likely to meet, the requirements of this section, but was developed by a panel that does not meet the requirements of paragraphs (1), (2), and (3) of subsection (b), the Secretary may, at the request of the Governor and the State educational agency, treat such panel as meeting the requirements of this title if the Secretary determines that there has been statewide involvement of educators, parents, students, advocacy groups, other interested members of the public in the development of the plan.

SEC. 307. SECRETARY'S REVIEW OF APPLICATIONS; PAYMENTS.

(a) FIRST YEAR.—The Secretary shall approve the initial year application of a State educational agency under section 305(b) if the Secretary determines that—

(1) such application meets the requirements of this title; and

(2) there is a substantial likelihood that the renewal application of the State will be able to develop and implement an education improvement plan that complies with section 306.

(b) SECOND THROUGH FIFTH YEARS.—The Secretary shall approve a renewal application of a State educational agency under section 305(c) for the second through fifth years only if—

(1)(A) the Secretary has approved the State's improvement plan under section 306(l); or

(B) the Secretary determines that the State has made substantial progress in developing such plan; and

(2) such application meets the other requirements of this title.

(c) PAYMENTS.—For any fiscal year for which a State has an approved application under this title, the Secretary shall make a grant to the State educational agency in the amount determined under section 304(b).

SEC. 308. STATE USE OF FUNDS.

(a) FIRST YEAR.—In the first year for which a State educational agency receives a grant under this title, the State—

(1) shall use at least 75 percent of such funds to make subgrants, in accordance with section 309(a), to local educational agencies for the development or implementation of local improvement plans and to make subgrants, in accordance with section 309(b), to improve educator preservice programs and for professional development activities consistent with the State plan, if the amount allocated to States under section 304(b) for such year is at least $50,000,000. The State may use such funds for such subgrants if such amount is less than $50,000,000; and

(2) shall use the remainder of such funds to develop, revise, expand, or implement an education improvement plan described in section 306.

(b) SUCCEEDING YEARS.—A State that receives assistance under this title for any year after the first year of participation shall—

(1) use at least 90 percent of such assistance in each succeeding year to make subgrants—

(A) to local educational agencies, in accordance with section 309(a), for the implementation of the State improvement plan and of local improvement plans; and

(B) in accordance with section 309(b), to improve educator preservice programs and for professional development activities that are consistent with the State improvement plan; and

(2) use the remainder of such assistance for State activities designed to implement its improvement plan, such as—

(A) supporting the development or adoption of State content and student performance standards, State opportunity-to-learn standards, and assessments linked to the standards, including through consortia of States, and in conjunction with the National Education Standards and Improvement Council established under part B of title II of this Act;

(B) supporting the implementation of high-performance management and organizational strategies, such as site-based management, shared decision-making, or quality management principles, to promote effective implementation of such plan;

(C) supporting the development and implementation, at the local educational agency and school building level, of improved human resource development systems for recruiting, selecting, mentoring, supporting, evaluating, and rewarding educators;

(D) providing special attention to the needs of minority, limited-English proficient, disabled, and female students, including instructional programs and activities that encourage such students in elementary and secondary schools to aspire to enter post secondary education or training;

(E) supporting the development, at the State or local level, of performance-based accountability and incentive systems for schools;

(F) outreach related to education improvement to parents, Indian tribal officials, classroom teachers, related services personnel, and other educators, and the public;

(G) providing technical assistance and other services to increase the capacity of local educational agencies and schools to develop and implement local systemic improvement plans, implement new assessments, and develop curricula consistent with the content and student performance standards of the State;

(H) promoting public magnet schools, public "charter schools", and other mechanisms for increasing choice among public schools; and

(I) collecting and analyzing data.

(c) LIMIT ON ADMINISTRATIVE COSTS.—In each year, a State may use not more than four percent of its annual allotment under this title, or $100,000, whichever is greater, for administrative expenses, not including the activities of the panel established under section 306(b)(1).

SEC. 308. SUBGRANTS FOR LOCAL REFORM AND PROFESSIONAL DEVELOPMENT.

(a) SUBGRANTS TO LOCAL EDUCATIONAL AGENCIES.—(1)(A) Each State educational agency shall make subgrants to local educational agencies (or consortia of such agencies) consistent with subsections (a)(1) and (b)(1)(A) of section 308 through a competitive process.

(B) In making such subgrants, the State educational agency shall award at least 1 subgrant in each fiscal year to a rural local educational agency, or a consortia of rural local educational agencies, except that this provision shall not apply to the District of Columbia. Rural local educational agencies may include or be represented as a fiscal agent by an educational service agency.

(C) In making such subgrants, the State educational agency shall award at least 1 subgrant in each fiscal year to an urban local educational agency.

(D) Each subgrant shall be for a project of sufficient duration and of sufficient size, scope, and quality to carry out the purpose of this title effectively.

(2) A local educational agency wishing to receive a subgrant under this title for the purpose of developing a comprehensive local plan shall submit an application to the State educational agency. Such application shall contain assurances that the local educational agency intends to develop a plan that meets the requirements of this section.

(3) Each local educational agency wishing to receive a subgrant for the purpose of implementing a plan under this subsection shall submit a local plan to the State educational agency which—

(A) is developed by a broad-based panel that—

(i) is appointed by the local educational agency and is representative of the diversity of students and community with regard to race, language, ethnicity, gender, disability, and socioeconomic characteristics and includes teachers, parents, advocacy groups, school administrators, business representatives, and others, as appropriate; and

(ii) shall, following the selection of its members, establish the procedures regarding the operation of the panel, including the designation of the chairperson;

(B) includes a comprehensive local plan for districtwide education improvement, directed at enabling all students to meet the challenging content and student performance standards of the State, including specific goals and benchmarks, consistent with the State improvement plan (either approved or under development) and includes a strategy for—

(i) implementing opportunity-to-learn standards;

(ii) improving teaching and learning;

(iii) improving governance and management;

(iv) generating and strengthening parental and community involvement; and

(v) expanding improvements throughout the local educational agency;

(C) promotes the flexibility of local schools in developing plans which address the particular needs of their school and community and are consistent with the local plan;

(D) describes a process of broad-based community participation in the development, implementation, and evaluation of the local plan;

(E) describes how the local educational agency will encourage and assist schools to develop comprehensive school improvement plans that focus on helping all students reach challenging content and student performance standards and that address relevant elements of the improvement plan of the local educational agency identified in subparagraph (B);

(F) describes how the local educational agency will implement specific programs aimed at ensuring improvements in school readiness and the ability of students to learn effectively at all grade levels by identifying the most pressing needs facing students and their families with regard to social services, health care, nutrition, and child care, and by entering into partnerships with public and private agencies to increase the access of students and families to coordinated services in a school setting or at a nearby site;

(G) describes how the subgrant will be used by the local educational agency, and the procedures to be used to make funds available to schools in accordance with paragraph (6)(A);

(H) identifies, with an explanation, any State or Federal requirements that the local educational agency believes impede educational improvement and that such local educational agency requests be waived in accordance with section 311 (such requests shall promptly be transmitted to the Secretary by the State educational agency); and

(I) contains such other information as the State educational agency may reasonably require.

(4) A local educational agency which has approved a local plan shall submit such plan to the State for approval together with a description of modifications to such plan and any comments from the local panel regarding such plan.

(5) The panel appointed under paragraph (3)(A) shall, after approval by the State educational agency of the application of the local educational agency, monitor the implementation and effectiveness of the local improvement plan in close consultation with teachers, related services personnel, principals, administrators, community members, and parents from schools receiving funds under this title, to determine if revisions to the local plan should be recommended to the local educational agency. The panel shall make public its findings.

(6)(A) A local educational agency that receives a subgrant under this subsection shall—

(i) in the first year, use not more than 25 percent of subgrant funds to develop a local improvement plan or to implement any local educational activities approved by the State educational agency which are reasonably related to carrying out the State or local improvement plans, and not less than 75 percent of such funds to support individual school improvement initiatives directly related to providing all students in the school the opportunity to meet challenging State content and student performance standards; and

(ii) in subsequent years, use subgrant funds for any activities approved by the State educational agency which are reasonably related to carrying out the State or local improvement plans, except that at least 85 percent of such funds shall be made available to individual schools to develop and implement comprehensive school improvement plans which are tailored to meet the needs of their particular student populations and are designed to help all students meet challenging State content standards.

(B) At least 50 percent of the funds made available by a local educational agency to individual schools under this section in any fiscal year shall be made available to schools with a special need for such assistance, as indicated by a high number or percentage of students from low-income families, low student achievement, or other similar criteria developed by the local educational agency.

(C) A local educational agency may not use more than five percent of its annual allotment under this Act for administrative expenses.

(7) The State educational agency shall give priority in awarding a subgrant to—

(A) a consortium of local educational agencies; or

(B) a local educational agency that makes assurances that funds will be used to assist a consortium of schools that has developed a plan for school improvement.

(b) SUBGRANTS FOR PRESERVICE TEACHER EDUCATION AND PROFESSIONAL DEVELOPMENT ACTIVITIES.—(1)(A) Each State educational agency shall make subgrants to consortia of local educational agencies, institutions of higher education, private nonprofit organizations, or combinations thereof, consistent with subsections (a)(1) and (b)(1) of section 308 through a competitive, peer-reviewed process to—

(i) improve preservice teacher education programs consistent with the State plan, including how to work effectively with parents and the community; and

(ii) support continuing, sustained professional development activities for educators which will increase student learning and are consistent with the State plan.

(B)(i) In order to apply for a subgrant described in subparagraph (A)(i), a consortium must include at least one local educational agency and at least one institution of higher education.

(ii) In order to apply for a subgrant described in subparagraph (A)(ii), a consortium must include at least one local educational agency.

(2) A consortium that wishes to receive a subgrant under this subsection shall submit an application to the State educational agency which—

(A) describes how the applicant will use the subgrant to improve teacher preservice and school administrator education programs or to implement educator professional development activities consistent with the State plan;

(B) identifies the criteria to be used by the applicant to judge improvements in preservice education or the effects of professional development activities consistent with the State plan; and

(C) contains any other information that the State educational agency determines is appropriate.

(3) A recipient of a subgrant under this subsection shall use the subgrant funds for activities supporting—

(A) the improvement of preservice teacher education and school administrator programs so that such programs equip educators with the subject matter and pedagogical expertise necessary for preparing all students to meet challenging standards; or

(B) the development and implementation of new and improved forms of continuing and sustained professional development opportunities for teachers, principals, and other educators at the school or district level that equip educators with such expertise, and with other knowledge and skills necessary for leading and participating in continuous education improvement.

(4) A recipient may use the subgrant funds under this subsection for costs related to release time for teachers to participate in professional development activities.

(5) Professional development shall include related services personnel as appropriate.

(c) SPECIAL AWARD RULE.—(1) Each State educational agency shall award at least 50 percent of subgrant funds under subsection (a) in each fiscal year to local educational agencies that have a greater percentage or number of disadvantaged children than the statewide average percentage or number for all local educational agencies in the State.

(2) The State educational agency may waive the requirement of paragraph (1) if such State does not receive a sufficient number of applications to comply with such requirement.

SEC. 310. AVAILABILITY OF INFORMATION AND TRAINING.

(a) INFORMATION AND TRAINING.—Proportionate to the number of children in a State or in a local educational agency who are enrolled in private elementary or secondary schools—

(1) a State educational agency or local educational agency which uses funds under this title to develop goals, content standards, curricular materials, and assessments shall, upon request, make information related to such goals, standards, materials, and assessments available to private schools; and

(2) a State educational agency or local educational agency which uses funds under this title for teacher and administrator training shall provide in its plan for the training of teachers and administrators in private schools located in the geographical area served by such agency.

(b) WAIVER.—If, by reason of any provision of law, a State or local educational agency is prohibited from providing for the equitable participation of teachers and administrators from private schools in training programs assisted with Federal funds provided under this title, or if the Secretary determines that a State or local

educational agency has substantially failed or is unwilling to provide for such participation, the Secretary shall waive such requirements and shall arrange for the provision of training consistent with State goals and content standards for such teachers and administrators. Such waivers shall be subject to consultation, withholding, notice, and judicial review in accordance with section 1017 of the Elementary and Secondary Education Act of 1965.

SEC. 311. WAIVERS OF STATUTORY AND REGULATORY REQUIREMENTS.

(a) GENERAL.—(1) Except as provided in subsection (c), the Secretary may waive any requirement of any statute listed in subsection (b) or of the regulations issued under such statute for a State educational agency, local educational agency, or school that requests such a waiver—

(A) if, and only to the extent that, the Secretary determines that such requirement impedes the ability of the State, or of a local educational agency or school in the State, to carry out the State or local education improvement plan;

(B) if the State educational agency has waived, or agrees to waive, similar requirements of State law; and

(C) if, in the case of a Statewide waiver, the State educational agency—

(i) provides all local educational agencies and parent organizations in the State with notice and an opportunity to comment on the proposal of the State educational agency to seek a waiver; and

(ii) submits the comments of such agencies to the Secretary.

(2) To request a waiver, a State educational agency, local educational agency, or school that receives funds under this Act or a local educational agency that does not receive funds under this Act but is undertaking school reform efforts that meet the objectives of the State plan, shall submit an application to the Secretary that includes—

(A) the identification of statutory or regulatory requirements that are requested to be waived and the goals that the State local educational agency or school intends to achieve;

(B) a description of the action that the State has undertaken to remove State statutory or regulatory barriers identified in the applications of local educational agencies;

(C) a description of the goals of the waiver and the expected programmatic outcomes if the request is granted;

(D) the numbers and types of students to be impacted by such waiver;

(E) a timetable for implementing a waiver; and

(F) the process the State will use to monitor, on a biannual basis, the progress in implementing a waiver.

(3) The Secretary shall act promptly on a waiver request and state in writing the reasons for granting or denying such request. If a waiver is granted, the Secretary must also include the expected outcome of granting such waiver.

(4) The Secretary's decision shall be—

(A) published in the Federal Register; and

(B) disseminated by the State educational agency to interested parties, including educators, parents, students, advocacy and civil rights organizations, other interested parties, and the public.

(5) Each such waiver shall be for a period not to exceed three years. The Secretary may extend such period if the Secretary determines that the waiver has been effective in enabling the State or affected local educational agencies to carry out reform plans.

(b) INCLUDED PROGRAMS.—The statutes subject to the waiver authority of this section are as follows:

(1) Chapter 1 of title I of the Elementary and Secondary Education Act of 1965.

(2) Part A of chapter 2 of title I of the Elementary and Secondary Education Act of 1965.

(3) The Dwight D. Eisenhower Mathematics and Science Education Act (part A of title II of the Elementary and Secondary Education Act of 1965).

(4) The Emergency Immigrant Education Act of 1984 (part D of title IV of the Elementary and Secondary Education Act of 1965).

(5) The Drug-Free Schools and Communities Act of 1986 (title V of the Elementary and Secondary Education Act of 1965).

(6) The Carl D. Perkins Vocational and Applied Technology Education Act.

(c) WAIVERS NOT AUTHORIZED.—The Secretary may not waive any statutory or regulatory requirement of the programs listed in subsection (b) relating to—

(1) maintenance of effort;

(2) comparability of services;

(3) the equitable participation of students and professional staff in private schools;

(4) parental participation and involvement; or

(5) the distribution of funds to State or to local educational agencies.

(d) TERMINATION OF WAIVERS.—The Secretary shall periodically review the performance of any State, local educational agency, or school for which the Secretary has granted a waiver and shall terminate the waiver if the performance of the State, the local educational agency, or the school in the area affected by the waiver has been inadequate to justify a continuation of the waiver.

SEC. 313. PROGRESS REPORTS.

(a) STATE REPORTS TO THE SECRETARY.—Each State educational agency that receives funds under this title shall annually report to the Secretary regarding—

(1) progress in meeting State goals and plans;

(2) proposed State activities for the succeeding year; and

(3) in summary form, the progress of local educational agencies in meeting local goals and plans and increasing student learning.

(b) SECRETARY'S REPORTS TO CONGRESS.—By April 30, 1996, and every two years thereafter, the Secretary shall submit a report to the Committee on Education and Labor of the House of Representatives and the Committee on Labor and Human Resources of the Senate describing the activities and outcomes of grants under—

(1) section 220 of this Act, including—

(A) a description of the purpose, uses, and technical merit of assessments evaluated with funds under such section; and

(B) an analysis of the impact of such assessments on the performance of all students, particularly students of different racial, gender, ethnic, language groups, or individuals with disabilities; and

(2) this title, including a description of the effect of waivers granted under section 311.

SEC. 314. NATIONAL LEADERSHIP.

(a) ACTIVITIES AUTHORIZED.—From funds reserved each year under section 304(a)(2)(A), the Secretary shall, through the Office of Educational Research and Improvement in accordance with the provisions of sections 405 and 406 of the General Education Provisions Act, directly or through grants or contracts—

(1) provide technical assistance to States and local educational agencies developing or implementing school improvement plans, in a manner that ensures that each such State has access to such assistance;

(2) gather data on, conduct research on, and evaluate systemic education improvement, including the programs authorized by this title;

(3) disseminate research findings and other information on systemic education improvement and how it affects student learning; and

(4) provide grants to tribal divisions of education for coordination efforts between school reform plans by the Bureau and the public schools described in section 306(g)(5).

(b) RESERVATION OF FUNDS.—(1) The Secretary shall use at least 50 percent of the funds reserved each year under section 304(a)(2)(A) to make grants, consistent with the provisions of section 309(a) that the Secretary finds appropriate, and provide technical and other assistance to urban and rural local educational agencies with large numbers or concentrations of students who are economically disadvantaged or who have limited English proficiency, to assist such agencies in developing and implementing local school improvement plans.

(2) The Secretary shall use not less than $1,000,000 of the funds reserved the first year under section 304(a)(2)(A) to survey coordinated service programs that have been found to be successful in helping students and families and improving student outcomes, and shall disseminate information about such programs to schools that plan to develop coordinated service programs.

SEC. 315. ASSISTANCE TO THE OUTLYING AREAS AND TO THE SECRETARY OF THE INTERIOR.

(a) OUTLYING AREAS.—(1) Funds reserved for outlying areas under section 304(a)(1)(A) shall be distributed among such areas by the Secretary according to relative need.

(2) The provisions of Public Law 95–134, permitting the consolidation of grants to the insular areas, shall not apply to funds received by such areas under this title.

(b) SECRETARY OF THE INTERIOR.—

(1) IN GENERAL.—The funds reserved to the Secretary of the Interior under section 304 shall be made in a payment which shall be pursuant to an agreement between the Secretary and the Secretary of the Interior containing such assurances and terms as the Secretary determines shall best achieve the provi-

sions of this section and this Act. The agreement shall, at a minimum, contain assurances that—

(A) a panel, as set forth in paragraph (4) of this subsection, shall be established;

(B) a reform and improvement plan, designed to increase student learning and assist students in meeting the National Education Goals, meeting the requirements pertaining to State improvement plans required in section 306 and providing for the fundamental restructuring and improvement of elementary and secondary education in schools funded by the Bureau, shall be developed by such panel; and

(C) the provisions and activities required under State improvement plans, including the requirements for timetables for opportunity-to-learn standards, shall be carried out in the same time frames and under the same conditions stipulated for the States in sections 305 and 306, provided that for these purposes, the term 'local educational agencies' shall be interpreted to mean 'schools funded by the Bureau'.

(2) VOLUNTARY SUBMISSION.—The provisions applicable to the States in section 213 of this Act shall apply to the Bureau plan with regard to voluntary submission of standards and assessment systems to the National Education Standards and Improvement Council for review and certification.

(3) PLAN SPECIFICS.—The reform and improvement plan shall include, in addition to the requirements referenced above, specific provisions for—

(A) opportunity to learn standards pertaining to residential programs and transportation costs associated with programs located on or near reservations or serving students in off-reservation residential boarding schools;

(B) review and incorporation of the National Education Goals and the voluntary national content, student performance, and opportunity-to-learn standards developed under part B of title II of this Act, provided that such review shall include the issues of cultural and language differences; and

(C) provision for coordination of the efforts of the Bureau with the efforts for school improvement of the States and local educational agencies in which the schools funded by the Bureau are located, to include, but not be limited to, the development of the partnerships outlined in section 306(g)(5) of the Act.

(4) PANEL.—To carry out the provisions of this section, and to develop the plan for system-wide reform and improvement required under the agreement required under paragraph (1), the Secretary of the Interior shall establish a panel coordinated by the Assistant Secretary of the Interior for Indian Affairs. Such panel shall consist of—

(A) the Director of the Office of Indian Education Programs of the Bureau of Indian Affairs and two heads of other divisions of such Bureau as the Assistant Secretary shall designate;

(B) a designee of the Secretary of Education; and

(C) a representative nominated by each of the following:

(i) The organization representing the majority of teachers and professional personnel in schools operated by the Bureau.

(ii) The organization representing the majority of nonteaching personnel in schools operated by the Bureau, if not the same organization as in clause (i).

(iii) School administrators of schools operated by the Bureau.

(iv) Education line officers located in Bureau area or agency offices serving schools funded by the Bureau.

(v) The organization representing the majority of contract or grant schools funded by the Bureau not serving students on the Navajo reservation.

(vi) The organization representing the majority of contract or grant schools funded by the Bureau serving students on the Navajo reservation.

(vii) The organization representing the school boards required by statute for schools operated by the Bureau not serving students on the Navajo reservation.

(viii) The organization representing the school boards required by statute for schools funded by the Bureau serving students on the Navajo reservation.

Including the additional members required by paragraph (5), a majority of the members of such panel shall be from the entities designated under subparagraph (C).

(5) ADDITIONAL MEMBERS.—In addition, the members of the panel stipulated above shall designate for full membership four additional members—

(A) one of whom shall be a representative of a national organization which represents primarily national Indian education concerns; and

(B) three of whom shall be chairpersons (or their designees) of Indian tribes with schools funded by the Bureau on their reservations (other than those specifically represented by organizations referred to in paragraph (4)), provided that preference for no less than two of these members shall be given to Indian tribes with a significant number of schools funded by the Bureau on their reservations, or with a significant percentage of their children enrolled in schools funded by the Bureau.

(c) BIA COST ANALYSIS.—

(1) IN GENERAL.—(A) The Secretary of the Interior shall reserve from the first allotment made to the Department of the Interior pursuant to section 304 an amount not to exceed $500,000 to provide, through the National Academy of Sciences, for an analysis of the costs associated with meeting the academic and home-living/residential standards of the Bureau of Indian Affairs for each school funded by such Bureau. The purpose of such analysis shall be to provide the Bureau and the Panel with baseline data regarding the current state of operations funded by the Bureau and to provide a framework for addressing the implementation of opportunity-to-learn standards.

(B) The results of such analysis shall be reported, in aggregate and school specific form, to the chairpersons and ranking minority members of the Committees on Education and Labor and Appropriations of the House of Representatives and the Select Committee on Indian Affairs and the Committee on Appropriations of the Senate, and to the Secretary of the Interior, the Secretary of Education (who shall transmit the report to the proper entities under this Act), and the Assistant Secretary of the Interior for Indian Affairs, not later than 6 months after the date of enactment of this Act.

(2) CONTENT.—Such analysis shall evaluate the costs of providing a program in each school for the next succeeding academic year and shall be based on—

(A) the standards either published in the Federal Register as having effect in schools operated by the Bureau on the date of enactment of this Act or the standards incorporated into each grant or contract in effect on such date with a tribally controlled school funded under section 1128 of Public Law 95–561 (as amended);

(B) the best projections of student counts and demographics, as provided by the Bureau and as independently reviewed by the Academy; and

(C) the pay and benefit schedules and other personnel requirements for each school operated by the Bureau, as existing on the date of enactment.

(d) SECRETARY OF DEFENSE.—The Secretary shall consult with the Secretary of Defense to ensure that, to the extent practicable, the purposes of this title are applied to the Department of Defense schools.

TITLE IV—NATIONAL SKILL STANDARDS BOARD

SEC. 401. PURPOSE.

It is the purpose of this title to establish a National Board to serve as a catalyst in stimulating the development and adoption of a voluntary national system of skill standards and certification that will serve as a cornerstone of the national strategy to enhance workforce skills, and that can be used, consistent with Federal civil rights laws—

(1) by the Nation, to ensure the development of a high skills, high quality, high performance workforce, including the most skilled front-line workforce in the world, and that will result in increased productivity, economic growth and American economic competitiveness;

(2) by industries, as a vehicle for informing training providers and prospective employees of skills necessary for employment;

(3) by employers, to assist in evaluating the skill levels of prospective employees and to assist in the training of current employees;

(4) by labor organizations, to enhance the employment security of workers by providing portable credentials and skills;

(5) by workers, to obtain certifications of their skills to protect against dislocation, to pursue career advancement, and to enhance their ability to reenter the workforce;

(6) by students and entry level workers, to determine the skill levels and competencies needed to be obtained in order to compete effectively for high wage jobs;

(7) by training providers and educators, to determine appropriate training services to offer;

(8) by Government, to evaluate whether publicly-funded training assists participants to meet skill standards where they exist and thereby protect the integrity of public expenditures;

(9) to facilitate the transition to high performance work organizations;

(10) to increase opportunities for minorities and women, including removing barriers to the entry of women in non-traditional employment; and

(11) to facilitate linkages between other components of the workforce investment strategy, including school-to-work transition, secondary and postsecondary vocational-technical education, and job training programs.

SEC. 401. ESTABLISHMENT OF NATIONAL BOARD.

(a) IN GENERAL.—There is established a National Skill Standards Board (in this title referred to as the "National Board").

(b) COMPOSITION.—

(1) IN GENERAL.—The National Board shall be composed of 28 members, appointed in accordance with paragraph (3), of whom—

(A) one member shall be the Secretary of Labor;

(B) one member shall be the Secretary of Education;

(C) one member shall be the Secretary of Commerce;

(D) one member shall be the Chairperson of the National Education Standards and Improvement Council established pursuant to section 212(a);

(E) eight members shall be representatives of small and large business and industry selected from among individuals recommended by recognized national business organizations and trade associations;

(F) eight members shall be representatives of organized labor selected from among individuals recommended by recognized national labor federations; and

(G) eight members shall be representatives from the following groups, with at least one member from each group:

(i) Educational institutions.

(ii) Community-based organizations.

(iii) State and local governments.

(iv) Nongovernmental organizations with a demonstrated history of successfully protecting the rights of racial, ethnic and religious minorities, women, persons with disabilities or older persons.

(2) DIVERSITY REQUIREMENTS.—The members described in subparagraph (G) of paragraph (1) shall have expertise in the area of education and training. The members described in subparagraphs (E), (F), and (G) of paragraph (1) shall—

(A) in the aggregate, represent a broad cross-section of occupations and industries; and

(B) to the extent feasible, be geographically representative of the United States and reflect the racial, ethnic and gender diversity of the United States.

(3) APPOINTMENT.—The membership of the National Board shall be appointed as follows:

(A) Twelve members (four from each class of members described in subparagraphs (E), (F), and (G) of paragraph (1)) shall be appointed by the President.

(B) Six members (two from each class of members described in subparagraphs (E), (F), and (G) of paragraph (1)) shall be appointed by the Speaker of the House of Representatives, of whom three members (one from each class of members described in subparagraphs (E), (F), and (G) of paragraph (1)) shall be selected from recommendations made by the Majority Leader of the House of Representatives and three members (one from each class of members described in subparagraphs (E), (F), and (G) of paragraph (1)) shall be selected from recommendations made by the Minority Leader of the House of Representatives.

(C) Six members (two from each class of members described in subparagraphs (E), (F), and (G) of paragraph (1)) shall be appointed by the President pro tempore of the Senate, of whom three members (one from each class of members described in subparagraphs (E), (F), and (G) of paragraph (1)) shall be selected from recommendations made by the Majority Leader of the Senate and three members (one from each class of members de-

scribed in subparagraphs (E), (F), and (G) of paragraph (1)) shall be selected from recommendations made by the Minority Leader of the Senate.

(4) TERM.—Each member of the National Board appointed under subparagraphs (E), (F), and (G) of paragraph (1) shall be appointed for a term of 4 years, except that of the initial members of the Board appointed under such paragraph—

(A) Twelve members shall be appointed for a term of 3 years (four from each class of members described in subparagraphs (E), (F), and (G) of paragraph (1)), of whom—

(i) two from each class shall be appointed in accordance with paragraph (3)(A);

(ii) one from each such class shall be appointed in accordance with paragraph (3)(B); and

(iii) 1 from each such class shall be appointed in accordance with paragraph (3)(C); and

(B) Twelve members shall be appointed for a term of 4 years (four from each class of members described in subparagraphs (E), (F), and (G) of paragraph (1)), of whom—

(i) two from each such class shall be appointed in accordance with paragraph (3)(A);

(ii) one from each such class shall be appointed in accordance with paragraph (3)(B); and

(iii) one from each such class shall be appointed in accordance with paragraph (3)(C).

(c) CHAIRPERSON AND VICE CHAIRPERSONS.—

(1) CHAIRPERSON.—The National Board shall biennially elect a Chairperson from among the members of the National Board by a majority vote of such members.

(2) VICE CHAIRPERSONS.—The National Board shall annually elect 3 Vice Chairpersons (each representing a different class of the classes of members described in subparagraphs (E), (F), and (G) of subsection (b)(1)) from among its members appointed under subsection (b)(3) by a majority vote of such members, each of whom shall serve for a term of 1 year.

(d) COMPENSATION AND EXPENSES.—

(1) COMPENSATION.—Members of the National Board who are not regular full-time employees or officers of the Federal Government shall serve without compensation.

(2) EXPENSES.—The members of the National Board shall receive travel expenses, including per diem in lieu of subsistence, in accordance with subchapter I of chapter 57, title 5, United States Code, while away from their homes or regular places of business in the performance of services for the National Board.

(e) EXECUTIVE DIRECTOR AND STAFF.—The Chairperson of the National Board shall appoint an Executive Director, who shall be compensated at a rate determined by the National Board that shall not exceed the rate of pay for level V of the Executive Schedule under section 5316 of title 5, United States Code, and who shall appoint such staff as is necessary in accordance with title 5, United States Code. Such staff shall include at least one individual with expertise in measurement and assessment.

(f) GIFTS.—The National Board is authorized, in carrying out this title, to accept, purchase, or lease, and employ or dispose of in furtherance of the purposes of this title, any money or property, real, personal, or mixed, tangible or intangible, received by gift, devise, bequest, or otherwise, and to accept voluntary and uncompensated services notwithstanding the provisions of section 1342 of title 31, United States Code.

(g) AGENCY SUPPORT.—

(1) USE OF FACILITIES.—The National Board may use the research, equipment, services and facilities of any agency or instrumentality of the United States with the consent of such agency or instrumentality.

(2) STAFF OF FEDERAL AGENCIES.—Upon the request of the National Board, the head of any department or agency of the United States may detail to the National Board, on a reimbursable basis, any of the personnel of such department or agency to assist the National Board in carrying out this title.

(h) CONFLICT OF INTEREST.—An individual who has served as a member of the National Board may not have any financial interest in an assessment and certification system developed or endorsed under this title for a period of three years after the termination of service of such individual from the National Board.

SEC. 403. FUNCTIONS OF THE NATIONAL BOARD.

(a) IDENTIFICATION OF OCCUPATIONAL CLUSTERS.—

(1) IN GENERAL.—Subject to paragraph (2), the National Board, after extensive public review and comment and study of the national labor market, shall identify broad clusters of major occupations that involve one or more than one industry in the United States.

(2) PROCEDURES FOR IDENTIFICATION.—Prior to identifying broad clusters of major occupations under paragraph (1), the National Board shall—

(A) develop procedures for the identification of such clusters;

(B) publish such procedures in the Federal Register; and

(C) allow for extensive public review of and comment on such procedures.

(b) VOLUNTARY PARTNERSHIPS TO DEVELOP STANDARDS.—

(1) IN GENERAL.—For each of the occupational clusters identified pursuant to subsection (a), the National Board shall encourage and facilitate the establishment of voluntary partnerships to develop a skill standards system in accordance with subsection (d).

(2) REPRESENTATIVES.—Such voluntary partnerships shall include the full and balanced participation of—

(A) representatives of business and industry who have expertise in the area of workforce skill requirements, including representatives of large and small employers, recommended by national business organizations and trade associations representing employers in the occupation or industry for which a standard is being developed, and representatives of trade associations that have received demonstration grants from the Department of Labor or the Department of Education to establish skill standards prior to the enactment of this title;

(B) employee representatives who have expertise in the area of workforce skill requirements and who shall be—

(i) individuals recommended by recognized national labor organizations representing employees in the occupation or industry for which a standard is being developed; and

(ii) such other individuals who are nonmanagerial employees with significant experience and tenure in such occupation or industry as are appropriate given the nature and structure of employment in the occupation or industry;

(C) representatives of—

(i) educational institutions;

(ii) community-based organizations;

(iii) State and local agencies with administrative control or direction over education, vocational-technical education, or employment and training;

(iv) other policy development organizations with expertise in the area of workforce skill requirements; and

(v) non-governmental organizations with a demonstrated history of successfully protecting the rights of racial, ethnic, and religious minorities, women, individuals with disabilities, and older persons; and

(D) individuals with expertise in measurement and assessment, including relevant experience in designing unbiased assessments and performance-based assessments.

(3) EXPERTS.—The partnerships described in paragraph (1) may also include such other individuals who are independent, qualified experts in their fields.

(c) RESEARCH, DISSEMINATION, AND COORDINATION.—In order to support the development of a skill standards system in accordance with subsection (d), the National Board shall—

(1) conduct workforce research relating to skill standards (including research relating to how to use skill standards in compliance with civil rights laws) and make such research available to the public, including the partnerships described in subsection (b);

(2) identify and maintain a catalog of skill standards used by other countries and by States and leading firms and industries in the United States;

(3) serve as a clearinghouse to facilitate the sharing of information on the development of skill standards and other relevant information among representatives of occupations and industries identified pursuant to subsection (a), the voluntary partnerships recognized pursuant to subsection (b), and among education and training providers through such mechanisms as the Capacity Building and Information and Dissemination Network established under section 453(b) of the Job Training Partnership Act;

(4) develop a common nomenclature relating to skill standards;

(5) encourage the development and adoption of curricula and training materials for attaining the skill standards developed pursuant to subsection (d) that include structured work experiences and related study programs leading to progressive levels of professional and technical certification and postsecondary education;

(6) provide appropriate technical assistance; and

(7) facilitate coordination among voluntary partnerships that meet the requirements of subsection (b) to promote the development of a coherent national system of voluntary skill standards.

(d) ENDORSEMENT OF SKILL STANDARDS SYSTEMS.—

(1) DEVELOPMENT OF ENDORSEMENT CRITERIA.—

(A) IN GENERAL.—The National Board, after extensive public consultation, shall develop objective criteria for endorsing skills standards systems relating to the occupational clusters identified pursuant to subsection (a). Such criteria shall, at a minimum, include the components of a skill standards system described in subparagraph (B). The endorsement criteria shall be published in the Federal Register, and updated as appropriate.

(B) COMPONENTS OF SYSTEM.—The components of a skill standards systems shall include the following:

(i) Voluntary skill standards, which at a minimum—

(I) meet or exceed, to the extent practicable, the highest standards used in other countries and the highest international standards;

(II) take into account content and performance standards certified pursuant to title II;

(III) take into account the requirements of high performance work organizations;

(IV) are in a form that allows for regular updating to take into account advances in technology or other developments within the occupational cluster;

(V) are formulated in such a manner that promotes the portability of credentials and facilitates worker mobility within an occupational cluster or industry and among industries; and

(VI) are not discriminatory with respect to race, color, gender, age, religion, ethnicity, disability, or national origin, consistent with Federal civil rights laws.

(ii) A voluntary system of assessment and certification of the attainment of skill standards developed pursuant to subparagraph (A), which at a minimum—

(I) takes into account, to the extent practicable, methods of assessment and certification used in other countries;

(II) utilizes a variety of evaluation techniques, including, where appropriate, oral and written evaluations, portfolio assessments and performance tests; and

(III) includes methods for establishing that the assessment and certification system is not discriminatory with respect to race, color, gender, age, religion, ethnicity, disability, or national origin, consistent with Federal civil rights laws.

(iii) A system to promote the use of and to disseminate information relating to skill standards, and assessment and certification systems developed pursuant to this paragraph (including dissemination of information relating to civil rights laws relevant to the use of such standards and systems) to entities such as institutions of postsecondary education offering professional and technical education, labor organizations, trade associations, employers providing formalized training and other organizations likely to benefit from such systems.

(iv) A system to evaluate the implementation of the skill standards, and assessment and certification systems developed pursuant to this paragraph, and the effectiveness of the information disseminated pursuant to subparagraph (C) for informing the users of such standards and systems of the requirements of relevant civil rights laws.

(v) A system to periodically revise and update the skill standards, and assessment and certification systems developed pursuant to this paragraph, which will take into account changes in standards in other countries.

(2) ENDORSEMENT.—The National Board, after extensive public review and comment, shall endorse those skill standards systems relating to the occupational clusters identified pursuant to subsection (a) that—

(A) meet the objective endorsement criteria that are developed pursuant to paragraph (1); and

(B) are submitted by partnerships that meet the representation requirements of subsection (b)(2).

(e) LIMITATIONS.—

(1) IN GENERAL.—The National Board shall not carry out the requirements of subsections (b) or (d) with respect to any occupation or trade within any industry for which national apprenticeship standards—

(A) have been jointly developed by labor and management representatives,

(B) are registered pursuant to the National Apprenticeship Act, and

(C) are being actively used on a national basis for training workers in such occupation or trade,

unless labor and management representatives of such occupation or trade and representatives of registered apprenticeship programs within such occupation or trade jointly request the assistance of the National Board.

(2) RELATIONSHIP WITH ANTIDISCRIMINATION LAWS.—

(A) IN GENERAL.—Nothing in this title shall be construed to modify or affect any Federal or State law prohibiting discrimination on the basis of race, religion, color, ethnicity, national origin, gender, age, or disability.

(B) EVIDENCE.—The endorsement or absence of an endorsement by the Board of a skill standard or assessment and certification system under subsection (d) shall not be used in any action or proceeding to establish that the skill standard or assessment and certification system conforms or does not conform to the requirements of civil rights laws.

(f) COORDINATION WITH EDUCATION STANDARDS.—The National Board shall establish cooperative arrangements with the National Education Standards and Improvement Council to promote the coordination of the development of skill standards under this title with the development of content and performance standards under title II.

(g) FINANCIAL ASSISTANCE.—

(1) IN GENERAL.—From funds appropriated pursuant to section 406(a), the Secretary of Labor may award grants (including grants to the voluntary partnerships in accordance with paragraph (2)) and enter into contracts and cooperative arrangements that are requested by the National Board for the purposes of carrying out this title.

(2) GRANT PROGRAMS FOR VOLUNTARY PARTNERSHIPS.—

(A) ELIGIBILITY AND APPLICATION.—Voluntary partnerships that meet the requirements of subsection (b) shall be eligible to apply for a grant under this subsection. Each such voluntary partnership desiring a grant shall submit an application to the National Board at such time, in such manner, and accompanied by such information as the National Board may reasonably require.

(B) APPROVAL CRITERIA.—Prior to each fiscal year, the National Board shall publish objective criteria for the approval of grant applications submitted pursuant to subparagraph (A).

(3) LIMITATION ON THE USE OF FUNDS.—

(A) IN GENERAL.—Not more than 20 percent of the funds appropriated under section 406(a) for each fiscal year shall be used by the National Board for the costs of administration.

(B) COSTS OF ADMINISTRATION DEFINED.—For purposes of this paragraph, the term "costs of administration" means costs relating to staff, supplies, equipment, space, travel and per diem, costs of conducting meetings and conferences, and other related costs.

SEC. 404. DEADLINES.

Not later than December 31, 1996, the National Board shall—

(1) identify occupational clusters pursuant to section 403(a) representing a substantial portion of the workforce; and

(2) promote the development of an initial set of skill standards in accordance with section 403(d) for such clusters.

SEC. 405. REPORTS.

The National Board shall submit to the President and the Congress in each fiscal year a report on the activities conducted under this title, including the extent to which skill standards have been adopted by employers, training providers, and other entities and the effectiveness of such standards in accomplishing the purposes described in section 401.

SEC. 406. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated $15,000,000 for fiscal year 1994 and such sums as may be necessary for each of the fiscal years 1995 through 1998 to carry out this title.

(b) AVAILABILITY.—Amounts appropriated pursuant to subsection (a) shall remain available until expended.

SEC. 407. DEFINITIONS.

For purposes of this title, the following definitions apply:

(1) COMMUNITY-BASED ORGANIZATIONS.—The term "community-based organizations" means such organizations as defined in section 4(5) of the Job Training Partnership Act.

(2) EDUCATIONAL INSTITUTION.—The term "educational institution" means a high school, a vocational school, and an institution of higher education.

(3) SKILL STANDARD.—The term "skill standard" means the level of knowledge and competence required to successfully perform work-related functions within an occupational cluster.

TITLE V—MISCELLANEOUS

SEC. 501. DEFINITIONS.

As used in this Act—

(1) the terms "all students" and "all children" mean students or children from a broad range of backgrounds and circumstances, including disadvantaged students, students with diverse racial, ethnic, and cultural backgrounds, American Indians, Alaska Natives, Native Hawaiians, students with disabilities, students with limited-English proficiency, migrant children, school-aged children who have dropped out, migrant children, and academically talented students;

(2) the terms "community", "public", and "advocacy group" are to be interpreted to include representatives of organizations advocating for the education of American Indian, Alaska Native, and Native Hawaiian children and Indian tribes;

(3) the term "content standards" means broad descriptions of the knowledge and skills students should acquire in a particular subject area;

(4) the term "Governor" means the chief executive of the State;

(5) the terms "local educational agency" and "State educational agency" have the meaning given those terms in section 1471 of the Elementary and Secondary Education Act of 1965;

(6) the term "opportunity-to-learn standards" means the criteria for, and the basis of, assessing the sufficiency or quality of the resources, practices, and conditions necessary at each level of the education system (schools, local educational agencies, and States) to provide all students with an opportunity to learn the material in national or State content standards.

(7) the term "outlying areas" means Guam, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, and Palau (until the effective date of the Compact of Free Association with the Government of Palau);

(8) the term "performance standards" means concrete examples and explicit definitions of what students have to know and be able to do to demonstrate that they are proficient in the skills and knowledge framed by content standards;

(9) the term "related services" has the same meaning given such term under section 602(17) of the Individuals with Disabilities Education Act;

(10) the term "school" means a school that is under the authority of the State educational agency and a local educational agency or, for the purpose of carrying out section 314(b), a school that is operated or funded by the Bureau of Indian Affairs;

(11) the term "Secretary", except where used in title IV, means the Secretary of Education; and

(12) except as otherwise provided, the term "State" means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, and each of the outlying areas.

SEC. 502. LIMITATIONS.

(a) ASSESSMENTS.—No funds provided under titles II or III of this Act shall be used to undertake assessments that will be used to make decisions regarding the graduation, grade promotion, or retention of students for five years after the date of enactment of this Act.

(b) PUBLIC SCHOOL.—Nothing in this Act shall be construed to authorize the use of funds under title III (except as provided in section 310) to directly or indirectly benefit any school other than a public school.

TITLE VI—PARENTAL INFORMATION AND RESOURCE CENTERS

SEC. 601. PARENTAL INFORMATION AND RESOURCE CENTERS.

(a) AUTHORIZATION.—The Secretary of Education is authorized to make grants each year to private, nonprofit organizations for the purpose of providing training and information to parents of children enrolled in participating schools and to individuals who work with such parents to encourage a more effective working relationship with professionals in meeting the educational needs of children enrolled in participating schools.

(b) GRANTS.—Such grants shall—

(1) be designed to meet the unique training and information needs of parents of children enrolled in participating schools, particularly parents who are severely disadvantaged educationally or economically;

(2) be distributed geographically to the greatest extent possible throughout all the States and give priority to grants which serve areas with high concentrations of low-income families;

(3) be targeted to parents of children enrolled in participating schools in rural, suburban, and urban areas;

(4) serve parents of low-income and minority children enrolled in participating schools, including limited-English-proficient children; and

(5) be funded at a sufficient size, scope, and quality to ensure that the program is adequate to serve the parents in the area.

SEC. 602. ELIGIBILITY.

(a) REPRESENTATION.—To receive a grant under section 601, a private, nonprofit organization shall meet the following requirements:

(1) Be governed by a board of directors in which the membership includes, or be an organization that represents the interests of, parents and establish a special governing committee in which the membership includes—

(A) a majority of parents of children enrolled in participating schools; and

(B) representation of education professionals with expertise in improving services for disadvantaged children.

(2) Provide that the parent and professional membership of the board or special governing committee is broadly representative of minority, low-income, and other individuals and groups that have an interest in compensatory education and family literacy.

(3) Demonstrate the capacity and expertise to conduct effective training and information activities for which a grant may be made.

(4) Network with clearinghouses, other organizations and agencies, and with other established national, State, and local parent groups representing the full range of parents of children enrolled in participating schools, especially parents of low-income and minority children.

(b) REQUIREMENTS.—The Board of Directors or special governing committee of an organization receiving a grant under this title shall meet at least once each calendar quarter to review the parent training and information activities for which the grant is made.

(c) GRANT RENEWAL.—Whenever an organization requests the renewal of a grant under section 601 for a fiscal year, the Board of Directors or the special governing committee shall submit to the Secretary a written review of the parent training and information program conducted by such organization during the preceding fiscal year.

SEC. 603. USES OF FUNDS.

Grants received under this title may be used—

(1) for parent training and information programs that assist parents to—

(A) better understand their children's educational needs;

(B) provide follow up support for their children's educational achievement;

(C) communicate more effectively with teachers, counselors, administrators, and other professional educators and support staff;

(D) participate in the design and provision of assistance to students who are not making adequate progress;

(E) obtain information about the range of options, programs, services, and resources available at the national, State, and local levels to assist children enrolled in participating schools and their parents;

(F) seek technical assistance regarding compliance with the requirements of this Act and of other Federal programs relevant to achieving the goals of this Act;

(G) participate in State and local decision-making; and

(H) train other parents;

(2) to include State or local educational personnel where such participation would further an objective of the program assisted by the grant; and

(3) to establish a parent training and information center to carry out the activities in paragraphs (1) and (2) and to represent parent interests at the State level, including participation in the design of the public outreach process described in section 306(b)(6), submitting recommendations concerning State standards and plans, and commenting on proposed waivers under this Act.

SEC. 604. TECHNICAL ASSISTANCE.

The Secretary shall provide technical assistance, by grant or contract, for the establishment, development, and coordination of parent training and information programs and centers.

SEC. 605. EXPERIMENTAL CENTERS.

After the establishment in each State of a parent training and information center, the Secretary shall provide for the establishment of 5 additional experimental centers, 3 to be located in urban areas and 2 in rural areas where there are large concentrations of poverty.

SEC. 606. REPORTS.

Not later than June 30, 1995, and not later than June 30 each succeeding year, the Secretary shall obtain data concerning programs and centers assisted under this title, including—

(1) the number of parents, including the number of minority and limited-English-proficient parents, who receive information and training;

(2) the types and modes of information or training provided; and

(3) the strategies used to reach and serve parents of minority and limited-English-proficient children and parents with limited literacy skills.

SEC. 607. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated $5,000,000 for fiscal year 1994 and such sums as may be necessary for each of the fiscal years 1995 through 1998.

Amend the title so as to read:

A bill to improve learning and teaching by providing a national framework for education reform; to promote the research, consensus building, and systemic changes needed to ensure equitable educational opportunities and high levels of educational achievement for all students; to provide a framework for reauthorization of all Federal education programs; to promote the development and adoption of a voluntary national system of skill standards and certifications; and for other purposes.

EXPLANATION OF THE AMENDMENT

The Committee amendment strikes all after the enacting clause and inserts a substitute text. The provisions of the substitute text are explained in this report.

PURPOSE

The purpose of H.R. 1804 is to raise the quality of education for all students by supporting a broad-based public effort to promote coherent and coordinated changes in the nation's education system, including the establishment of National Education Goals and the certification of voluntary national standards.

COMMITTEE ACTION

H.R. 1804 was introduced by Mr. Kildee on April 22, 1993.

Hearings were held on the following subjects and dates: The Role of ESEA Programs in School Reform on February 2 and February 4, 1993; Assessment on February 18, 1993; H.R. 1804, Goals 2000: Educate America Act on April 22, 1993; The Federal Role in Systemic Education Reform on May 4, 1993; and National Skill Standards on May 18, 1993.

Testifying at the February 2 hearing were: Commissioner Thomas C. Boysen, Kentucky Department of Education, Frankfort, KY; Mr. William S. Woodside, Chairman, Sky Chefs, Inc., New York, NY; and Dr. Michael Kirst, Professor of Education, Stanford University School of Education, Stanford, CA.

Testifying at the February 4 hearing were: the Honorable Donald M. Carroll, Jr., Secretary, Pennsylvania Department of Education, Harrisburg, PA; Dr. James J. Renier, Chairman and CEO, Honeywell, Inc., Minneapolis, MN; Dr. Susan Fuhrman, Director, Consortium for Policy Research in Education, Eagleton Institute, Rutgers University, New Brunswick, NJ; and Mr. Don Ernst, Director of Education Policy, Office of Governor Bayh, Indianapolis, IN.

Testifying at the February 18 hearing were: Ms. Eleanor Chelimsky, Assistant Comptroller General for Program Evaluation and Methodology, U.S. General Accounting Office, Washington, D.C.; Dr. Thomas A. Romberg, Director, National Center for Research in Mathematical Sciences Education University of Wisconsin, Madison, WI; Dr. Richard P. Mills, Commissioner of Education, State of Vermont, Montpelier, VT; and Dr. Sylvia T. Johnson, Professor and Coordinator, Research Methodology and Statistics, Howard University, Washington, D.C.

Testifying at the April 22 hearing was the Honorable Richard Riley, Secretary of Education, U.S. Department of Education.

Testifying at the May 4 hearing were: the Honorable Robert Reich, Secretary of Labor, U.S. Department of Labor; Dr. Janice Earle, Office of Systemic Reform, National Science Foundation, Washington, D.C.; Dr. Linda G. Morra, Director, Education and Employment Issues, U.S. General Accounting Office, Washington, D.C.; Mr. Rob Hall, Vice President, Government Affairs Council, National Retail Federation, Washington, D.C.; and Dr. Sam Meisels, Associate Dean for Research and Professor, University of Michigan School of Education, Ann Arbor, MI.

Testifying at the May 18 hearing were: Ms. Sheryl Fields-Tyler, American Electronics Association, Washington, D.C.; Mr. Marc Tucker, President, National Center on Education and the Economy, Rochester, N.Y.; Ms. Margaret Piesert, Director of the Health Care Workforce Project, Service Employees International Union, Washington, D.C.; Mr. Raul Valdes-Pages, Presidnet and CEO, Denver Technical College, Denver, CO; Mr. Mike Baroody, Senior Vice President for Policy and Communications, National Association of Manufacturers, Washington, D.C., and Dr. Paul R. Sackett, Industrial Relations Center, University of Minnesota, Minneapolis, MN.

On May 6, 1993, the Subcommittee on Elementary, Secondary and Vocational Education approved the bill, as amended, by a record vote of 17–9. On June 23, 1993, the Committee on Education and Labor, by a recorded vote of 28–15, with 25 Members (a quorum) voting in person, ordered the bill, as amended, favorably reported.

SUMMARY OF THE BILL

Goals 2000: Educate America Act, is a means for the Federal government to give a major boost to school reform in the United States. Voluntary national standards for education will be developed to help all students work harder and learn more. Funds will be provided to schools to help improve education for all children. And, waivers from federal rules and regulations will be granted to make local programs more flexible.

Goals 2000 is a major departure from the way that the Federal government has assisted education in the past. The key components of H.R. 1804 are:

Voluntary National Content Standards. First, it authorizes the certification of voluntary national standards for education. Never in our 200 year history as a Nation have we had national standards for what students should know. Such standards can serve as a focal point for education reform efforts and set voluntary goals toward which all students can strive.

Flexibility for Accountability. The second and a very significant feature of Goals 2000, and another departure from the past, is the emphasis on achieving results with the expectation that rules and regulations will be relaxed. Most Federal programs now emphasize the process. By putting emphasis on results, creativity to develop new and innovative approaches for educating our Nation's youth is supported.

Improvement for All Children. Third, it creates a five-year program establishing a framework for helping all students improve their academic performance. Nearly all the existing major Federal education programs are targeted to special groups of children; none seek broad-based improvement of education for all children as this bill does.

System-Wide Reform. Fourth, the bill seeks to use limited Federal funding as an incentive to encourage States to approach, or continue, reform in a broad, systemic manner. State reform efforts to date have generally focused on a single aspect of the education system, such as improving testing, instituting school-based management, or mounting a few demonstration programs. However, education improvements cannot be sustained over time unless changes are coherent, coordinated, and address all parts of the education system.

The Committee would like to add a word about accusations made in the mark-up that this bill would lead to "unfunded Federal mandates". First, no State has to apply for any of these funds; and some may not since the House Committee-approved appropriations bill will provide for only a $100 million allocation for the program. If a State does not apply, then there is no obligation for that State to do anything.

Second, if a State does apply for these funds and receives them, it must develop standards for education of its own choosing and subject to its own timelines for accomplishment. No State has to have any standards certified by any entity at the national level. The bill merely provides that a State must have procedures to carry out the standards it sets for itself. There is no Federal mandate to take any particular action; there is simply a duty the State

places on itself if it wished to receive these funds. Also, there is no requirement in this bill that would affect the receipt of any other Federal money.

Everyone knows education must be made better. This bill is a measured moderate first step to help States and schools help themselves by putting in place a general framework of Federal support to promote broad-based education reform.

The Committee has begun step two of the reform strategy—the reauthorization of the Elementary and Secondary Education Act of 1965 (ESEA) and related programs. Nearly all the major Federal elementary and secondary education programs must be reauthorized this Congress. Expecting to build on the H.R. 1804 framework, the Committee is in the process of reviewing existing programs with an eye toward making them more effective as part of a coordinated Federal framework for assisting all schools to improve instruction and achievement of all students. Eighteen hearings had been held as of the date of the filing of this report. The ESEA and related programs reauthorization will give an added support to reform since the Federal government now funds programs in nearly every school district in the country through these laws.

In sum, the Goals 2000: Educate America Act is a major and innovative departure from the way the Federal government previously has dealt with education. It calls for voluntary national standards for education; it emphasizes improvement of education for all children; it calls for systemic reform of education programs generally; and it calls for relaxing regulations and emphasizing academic achievement instead.

BACKGROUND AND NEED FOR LEGISLATION

Our nation's economy, society, and families have undergone dramatic changes while our schools and instructional programs have remained, until recently, largely the same. Advancing technology and the disappearance of career work for high school graduates with general skills have changed what we expect our schools to do. It is no longer sufficient to equip our children with basic skills. To successfully meet the challenges of today's global economy, all children need to acquire higher order thinking and workforce related skills as well.

The traditional role of the Federal government in education has been to concentrate Federal assistance on individual student populations and specific categorical needs. While these programs and other educational reform efforts have achieved laudable results, there is a growing need for comprehensive and sustained improvements in our schools. The next step is for the Federal government to support efforts that will improve education across the board for all students.

The Committee's legislation capitalizes on a growing consensus, that, if the Nation is to achieve necessary educational progress, it must implement a reform strategy the encompasses the entire educational system, involving all of its parts and people. There must be a coordinated reform effort at the national level and in every State rather than the fragmented, often isolated endeavors that have generally characterized educational reform to date.

The importance of coordinated reform is described by the National Governors Association, in "From Rhetoric to Action: State Progress in Restructuring the Education System," as follows:

> In the long run, even the most successful innovations will not influence the vast majority of schools and districts unless there has been a simultaneous transformation of the larger system.

National standards and assessment

Several years ago, the Congress enacted the Education Council Act of 1991 (P.L. 102–62), Title IV of which established the National Council on Education Standards and Testing (NCEST) to advise the Congress, the Secretary of Education, and the National Education Goals Panel regarding the desirability ad feasibility of establishing national education standards and a system of examinations.

In January 1992, NCEST submitted its report to Congress and recommended the enactment of legislation to statutorily establish the National Education Goals Panel (NEGP) and a new National Education Standards and Assessments Council to: (i) provide for and coordinate the development of voluntary national content, student performance, and system performance standards; (ii) provide for the development, by states, of school delivery standards; (iii) certify content and student performance standards as world class; (iv) provide for the development of a system of assessments for individual students which is aligned with national standards; (v) develop assessments to monitor the performance of programs and systems consistent with national standards; (vi) provide research and development for break-the-mold assessments; (vii) issue quality guidelines for the development of assessments; (viii) ensure the technical merit (i.e., validity and reliability) of assessments; (ix) certify that assessments are aligned with national standards; and (x) establish procedures and criteria for achieving comparability among assessments.

With regard to the reasons for establishing national education standards, the report states:

> In the absence of demanding content and performance standards, the United States has gravitated toward having a de facto minimal skills curriculum. The many state minimum competency tests, the lower level skills orientation of most textbooks, and state and local policies that do not adequately promote quality are examples of this minimal approach. The Council finds that what has been demanded is insufficient in that it covers far too little of the knowledge and skills students need to succeed in the modern workplace and to participate in the democratic process. Such low expectations shortchange students and ill-serve the country. Yet as long as today's low standards remain in place, the performance of the majority of students is unlikely to improve substantially. (page 12)
>
> To ensure that students do not bear the sole burden of attaining the standards and to encourage assurances that the tools for success will be available at all schools, the

> Council also recommends that states establish school delivery standards. System performance standards should also be established. School delivery and system performance standards would attest to the provision of opportunities to learn and of appropriate instructional conditions to enable all children to reach high standards. (page 3)
>
> The Council's intent in recommending the establishment of national standards is to raise the ceiling for students who are currently above average and to lift the floor for those who now experience the least success in school, including those with special needs. States should work toward reducing gaps in students' opportunities to learn and in their performance, such as those now associated with race, income, gender, and geographical location. (page 4)

State and local systemic reform

The concept of systemic reform involves the establishment of ambitious educational goals to improve the achievement of all children and then aligning content standards (the knowledge and skills pupils should acquire), instructional materials, pupil assessment systems, professional development programs, and new approaches to improve student learning with those goals.

Systemic reform holds greater promise of furthering educational improvement than any alternative for a variety of reasons by building upon the reforms already adopted by States in one or more aspects of their educational system. Rather than casting aside past reforms, and current federal educational assistance programs, as being irrelevant, the systemic reform process embodied in H.R. 1804 makes these policies and programs more effective by integrating them into a more coherent, comprehensive strategy.

Additionally, systemic reform encourages States and local school districts to recognize the importance of linkages among the different aspects of their educational systems—especially the connections among curriculum and instructional materials, assessment practices, and professional development.

H.R. 1804, Goals 2000: Educate America Act, promotes broad participation in the development of State and local reform plans, including the State's top elected and appointed officials responsible for education policy, professional educators, business, and interested members of the public, ensuring a broad base of support for the plans. Further, the systemic reform procedures require States to consider and clarify their educational goals—what they really want from their schools—and how best to achieve them. Finally, systemic reform focuses attention on the need for *all* children to meet ambitious educational goals.

Federal support of systemic reform is essential because the States need technical and financial assistance in implementing this concept. Some States are already moving in the direction of systemic reform. However, most States are facing severe budgetary constraints that make it very difficult to undertake new initiatives, whatever their cost. Further, it would be duplicative and inefficient for States to enter the systemic reform process without technical assistance, guidance, and information on developments in other States and at the national level. This bill is intended to provide the

critical degree of assistance that for many States will make it possible to implement systemic reform.

National skill standards

America's standard of living depends upon competitive success in the global economy. That success, in turn, depends on a highly educated and highly skilled workforce. Every factor of production other than workforce skills can be duplicated anywhere around the world. Therefore, the skills, adaptability, creativity, and knowledge of American workers must be our competitive advantage. However, there is a lack of connection between the skills needed in the workplace and the skills imparted through education and training. The competitiveness of this country is further hindered by the limited number of nationally recognized skills credentials. This means that individuals who possess desired skills have no way of communicating their qualifications because there is no recognized skill or training system. The result of not having a nationally recognized system is greater hiring and training costs for employers and unnecessarily restricted opportunities for workers.

The challenge for Congress is to establish a system to ensure the continuous and accurate communication of necessary workplace skills among employers, educators, and trainers. The June 1990 report of the Commission on the Skills of the American Workforce, "America's Choice: High Skills or Low Wages!", recommended a National Board which would facilitate this communication on a national level. This single framework will foster worker mobility across occupations and through industries, particularly for those individuals who do not possess a baccalaureate degree. Recently, the Departments of Labor and Education, through public dialogue, demonstration projects, and research have tested the viability of the skill standards concept. While the results are promising the effort has been hampered by the lack of a coherent national system.

Title I—National Education Goals

This title of the bill statutorily establishes the National Education Goals established by the President and the Governors in 1990, with several changes. As introduced, the bill added arts and foreign languages to the subjects enumerated in Goal 3 (student achievement). In addition, the Committee bill makes the following changes: (1) the addition of civics and government to Goal 3; (2) the addition of a new Goal 4—Teacher Education and Professional Development; and (3) modified or new objectives to Goals 1 (school readiness) and 7 (safe, disciplined, and drug-free schools).

The Committee included a new goal, providing that all teachers will have the opportunity to acquire the knowledge and skills necessary to prepare students for the next century, because without adequate teacher education and professional development, systemic education reform cannot be sustained. This point was repeatedly emphasized during subcommittee hearings by witnesses who argued that improved teacher education must be considered a top priority. Accordingly this new goal establishes professional development as a national priority and complements Goal 3 (student achievement and citizenship) by making it clear that improving

student proficiency can only be realized if there is a highly talented workforce of educators to teach to challenging standards.

Title I of the bill also provides that the purpose of the Act is to improve learning and teaching by providing a framework for education reform.

Title II—National Education Reform, Leadership, Standards, and Assessments

This title statutorily establishes the National Education Goals Panel and a new National Education Standards and Improvement Council. Additionally, this title authorizes an opportunity-to-learn development grant, assessment development and evaluation grants, and an evaluation of work of the Goals Panel and the Council.

National education goals panel

Part A of Title II establishes the National Education Goals Panel to: (1) build a national consensus for educational improvement; (2) report on the nation's progress in meeting the National Education Goals, and (3) to review and comment on certification criteria developed by the Council as well as on standards certified by the Council.

With regard to membership of the Goals Panel, the bill "grandfathers in" the current membership and adds state legislators. The Committee wishes to emphasize that members of the Goals Panel serve only as long as they hold their specified public offices.

One of the charges of the Goals Panel is to report on the Nation's progress in achieving Goal 1, that by the year 2000 all children will start school ready to learn. The bill directs the Goals Panel's Goal 1 Resource and Technical Groups to continue and expand their current work—to provide guidance to the Goals Panel, the Congress, and the Nation on technical and policy matters related to improving the practice of early childhood assessment. The Committee anticipates that the information and recommendations of the Resource and Technical Groups may be helpful to the States as they develop assessments, presumably including early school grades, tied to their content standards.

National education standards and improvement council

Part B of Title II establishes a broad-based National Education Standards and Improvement Council, appointed by the President, the Congress and the Goals Panel to: (1) develop certification criteria; (2) certify voluntary national content, student performance, and opportunity-to-learn standards, as well as standards developed and voluntarily submitted by states that are of at least the same high quality as national voluntary standards; and (3) certify assessment systems voluntarily submitted to states if they meet the criteria.

Following certification by the Council, national standards become available for use by the states as guides or models in developing or modifying their academic standards. The bill provides that the standards should be "sufficiently general to be used by any state without restricting state and local control over curriculum * * *". By this language, the Committee wants to emphasize that national standards should NOT be so specific that they cannot be used by

an State that chooses to do so. However, the Committee recognizes that States which choose to use the national standards may need to modify them to suit individual State circumstances. For that reason, Council certification of standards voluntarily submitted by states hinges on whether the state standards are at least of an equal quality to certified national standards—not on whether they exactly match the national standards.

With regard to certification of systems of assessments, the Council is required to examine whether they are: (1) aligned with Council certified state content standards; and (2) valid and reliable when evaluated against nationally recognized, professional and technical standards (e.g. "Standards for Educational and Psychological Testing" issued by the American Educational Research Association, the American Psychological Association, and the National Council on Measurement in Education). The language of the bill specifically references technical quality of assessments in relation to their intended uses. The Committee considers this especially important and directs the Council, and the Department (in the making of assessment development and evaluation grants under section 219) to give the relationship between use and technical quality close attention.

It should be noted that, in addition to the duties discussed above, the Council is also responsible for identifying areas in which voluntary national content standards need to be developed. The Committee's intention is to allow the development of these standards across a wide range of academic subjects. While the Federal government is already supporting the development of content standards in English, science, geography, history, the arts, and civics, the Committee expects the Council to consider identifying other areas such as economics, physical education, and foreign languages.

The Council is to develop and begin using criteria for the certification of assessment systems no later than 4 years after the date of enactment of this Act. A State voluntarily seeking certification of its assessment system must have established or adopted opportunity-to-learn standards and the system may not be used for "high stakes" decisions for a period of 5 years from the date of enactment of this Act. Given the fact that national standards are, for the most part, still being developed and that few states have recently adopted higher, more challenging content standards, it is unlikely that many assessments meeting the criteria in the bill will be ready for certification prior to the expiration of the 5-year "no high stakes" period.

Voluntary national opportunity-to-learn standards

Section 219 authorizes the Secretary of Education to make a grant to a consortium of organizations and individuals to develop voluntary national opportunity-to-learn standards. The Committee feels strongly that, if standards applicable to students are developed nationally, so should standards that apply to schools. Like other national standards, they should be sufficiently general to be of use to all states.

The combination of content standards, student performance standards, and opportunity-to-learn standards will provide parents, educators, and communities with a balanced picture of the quality

of education found in local schools. Content standards and student performance standards can provide information on curricula and student performance and opportunity to learn standards can provide information on related factors that contribute to a successful learning environment. Furthermore, when students are not learning at desired levels, opportunity to learn standards can help communities identify where the child is failing school or the school is failing the child.

Assessment development and evaluation

Section 220 authorizes the Secretary to make grants to states and LEAs to defray the costs of developing, field testing, and evaluation of systems of assessments. This provision requires grantees to examine the technical merit of assessments as well as their consistency with nationally recognized professional and technical standards. Additionally grantees must give special attention to how an assessment or assessment system treats all students. Finally, the bill places restrictions on the use of assessments or assessment systems, developed or evaluated under this section, for high stakes purposes.

As envisioned by the National Council on Education Standards and Testing, many States may choose to change their assessment systems by developing or acquiring new alternative assessments which more fully measure student performance. To encourage this, the Committee added this new authorization which permits the Secretary to make grants to assist States with the development, field testing, or evaluation of new assessments.

Evaluation

Section 221 directs the Secretary annually to make grants to the National Academy of Sciences (NAS) to evaluate the work of the Goals Panel and the Council. Recognizing that much of what is being authorized at the national level is new and untried, the Committee feels that it is important to obtain independent, objective information about these organizations and the work they are directed to carry out. It is expected that the Department will work cooperatively with NAS as they conduct their ongoing evaluation and that NAS will regularly communicate with the Committee about its progress, findings, and any problems encountered in completing its work.

Title III—State and Local Education Systemic Improvement

Goals 2000: Educate America Act is founded on two fundamental principles. First, long-term improvement in public education will occur only if the federal government, States, local school districts, and schools are working together to achieve coordinated, systemwide changes in public education. Second, teachers, principals, and other educators closest to the students must be given the flexibility to develop the most effective approaches for raising educational achievement through a process which emphasizes results. Amendments adopted in committee served to emphasize that school reform should focus on all students meeting high academic standards, with specific organizational and instructional decisions made

by educators, parents, and community members closest to the schools.

Title III authorizes the Secretary to make formula grants to States to support the broad-based development and implementation of systemic reform plans and to support national leadership activities.

State plans

Each State that chooses to participate must develop a plan for the fundamental restructuring and improvement of elementary and secondary education throughout the State that includes: (1) development or adoption of content, student performance, and opportunity-to-learn standards (which they, at their discretion, may submit to NESIC for certification), (2) improvement and coordination of staff development, curriculum, instructional materials, professional development, and a State assessment system to help students achieve state goals, and (3) coordination of health and social services with education. This plan must be developed by a panel which includes the Governor and chief state school officer, the chairs of the State board of education and State legislative committees, parents, teachers, school administrators, experts in educational assessment, deans of schools of education, business and labor leaders, and representatives of local school boards, teacher organizations, and State and local agencies providing health, social, and related services. The provisions of the bill, with regard to the diversity of the panel and outreach activities, are intended to promote extensive public input into the development and implementation of the plan.

While the bill provides for the development or adoptions of challenging content and student performance standards, it purposefully does not require or even suggest which academic subject areas be given priority by the States. The Committee emphasizes that the use of federal funds is *not* restricted to the academic areas in which national standards are developed. These decisions will be made by State panels in consultation with the State educational agencies and by the local panels in consultation with the local educational agencies.

In developing and implementing their goals, curricular frameworks, assessment systems, and other activities in their reform plans, the Committee expects State panels and local committees to take advantage of the experiences and products of other States (e.g., California, Kentucky, Vermont, etc.) and national professional subject matter organizations (e.g., National Council of Teachers of Mathematics).

Each State must submit its plan to the Secretary of Education for approval. States that already have reform plans may submit those plans for approval without repeating the planning stage.

If, in the first year of funding under this title, the amount available for grants to States reaches or exceeds $50 million, each participating state must make subgrants to local educational agencies from not less than 75 percent of its allotment. In succeeding years, regardless of the amount of funding available, each participating State must pass through at least 90 percent of its allotment. The bill requires each State to make at least one subgrant to a rural

local educational agency and also to an urban local educational agency.

An integral part of the State plan is the program improvement and accountability provision which requires States to describe the procedures they would use to ensure schools and school districts meet the State opportunity-to-learn and content standards. For standards to have any effect, procedures must be in place to help schools and school systems meet those standards. Without such procedures, assessments alone will not improve our schools. Integration of the standard setting and assessment processes with the remediation process in section 306 is essential to ensure that all schools benefit from this reform process. This provision does not make States the ultimate or absolute guarantors of individual school or school system performance. States will fulfill their requirements if they submit procedures which reasonably deal with schools or school systems which do not meet properly promulgated State standards. Given the variety of circumstances, the Committee anticipates a host of different and valid procedural approaches. Indeed, ongoing State efforts suggest a broad range of possible alternatives. For example, States may send evalution teams into the schools, institute procedures to provide technical assistance, improve parental involvement, provide appropriate training and professional development for staff, increase the resources available for education, or take other actions designed to achieve compliance with appropriate standards.

Local activities

Local educational agencies (LEAs) may receive subgrants to support the development and/or implementation of a comprehensive local plan. Like States, LEAs must establish broad-based panels which represent the diversity of the students and community. An LEA must use not less than 75 percent of its subgrant to support individual school improvement initiatives during the first year of assistance and not less than 85 percent in subsequent years.

Additionally, LEAs may receive separate subgrants (as part of a consortium) to improve preservice teacher training programs and to support continuing, sustained professional development.

BIA and related provisions

The bill reserves a portion of the amount available under Title III to provide funding for the fundamental restructuring and improvement of schools funded through the Bureau of Indian Affairs (BIA). The BIA, operating through a mandated, broad-based panel, must develop a plan, including standards which meet the requirements of the bill and the special educational and culturally-related needs of its student population. The plan is to include opportunity-to-learn standards and timetables and is to meet the other requirements for State plans. The Committee wishes to specifically note two other provisions: (1) the BIA is to consider the work of the National Standards panel on the same voluntary basis as the States; and (2) the BIA shall take into consideration the standards, timetables, and opportunity-to-learn criteria developed by the States in which schools funded by the Bureau are located. While the Committee stresses that such State standards are not controlling, the

fact that most Indian students attending BIA schools will eventually attend a public school requires their serious consideration.

Finally, the bill requires the Secretary of the Interior to reserve, from the initial allotment, an amount not to exceed $500,000 for a study of the budget needs of Bureau funded schools. The Committee is concerned with the continuing failure of the BIA to provide the Congress with an accurate assessment of the funding level needed to meet its published, admittedly minimum, standards. Such failure, whether intentional or simply negligent, has led to a crisis situation. The Committee stresses the need for an outside, independent and objective needs assessment. Accordingly, the Committee directs the Bureau to: (1) see that adequate funds are provided for this contract; and (2) take whatever steps are necessary to see that accurate and timely information is provided to the study.

The bill also includes provisions throughout Titles II and III that mandate the involvement, at all levels of this systemic reform initiative, of advocates of American Indian, Alaska Native, and Native Hawaiian children.

Special needs students

It is the Committee's intent that special needs students (i.e., students with disabilities, students with limited English proficiency, students who are gifted, and students with diverse racial, ethnic, and cultural backgrounds) must be an integral part of all aspects of education reform, including the application of the National Education Goals and objectives, the establishment of voluntary national as well as state content, student performance, and opportunity to learn standards, and the development, evaluation, and certification of assessment systems. It is critically important at the national, State, and local levels, the same high expectations, flexible and varied instructional methods, and genuine opportunity to participate are applied to all students.

In order to obtain accurate information on the progress of all students, State and local assessment systems must be capable of measuring the progress of students with disabilities, students who are racially, ethnically, culturally, and linguistically diverse, students who are economically disadvantaged, and students who are gifted. However, to date this has been problematic. According to the Report on the Inclusion of Students with Disabilities in National and State Data Collection Systems, most of the existing state and national data collection programs exclude large portions of the student population with disabilities. At the national level, it is estimated that approximately 40 to 50 percent of all school-age students with disabilities are excluded from the most prominent national data collection programs. Clearly, opportunities for State and local educational agencies to make improvements in the instruction of special needs students are seriously impeded by the exclusion of these students from assessment programs.

Thus, it is the Committee's intent that assessment systems developed with funds under this part include students with disabilities as well as those with other special needs. The development of a valid and reliable assessment system for all students will be more readily obtained if individuals with a wide range of edu-

cational expertise are involved in the development of the system, including those having expertise in assessing students with disabilities, students with limited English proficiency, students who are gifted, and students with diverse racial, ethnic, and cultural backgrounds. These considerations should be taken into account in developing and administering all assessments in a state or local system—i.e., regarding assessments that are diagnostic, for the purpose of improving the achievement of all students, and those which employ student samples to monitor school or system performance.

In order to fairly assess special needs students, it may be necessary to administer assessments of individual students in more than just one way, or with appropriate adaptations and accommodations. This flexibility is important to afford all students with opportunities to express the full range of their knowledge and skills.

Waivers

States, LEAs, and schools may seek, from the Secretary of Education, waivers of statutory or regulatory requirements which impede the implementation of State or local improvement plans. Applicants must indicate whether the State has waived similar state requirements.

Waivers of requirements may only be approved for a period of 3 years and only in relation to those federal programs listed in the bill (Chapter 1, Even Start, Chapter 2, Dwight D. Eisenhower Mathematics and Science, Immigrant Education, Drug-Free Schools and Communities, and Carl D. Perkins Vocational and Applied Technology Education). However, waivers may not be approved in the following areas: maintenance of effort, comparability of services, equitable participation of private school students and professional staff, parental participation, and distribution of funds to State and local educational agencies.

The waiver provisions of the bill were modified in committee to allow all schools and LEAs undertaking education reform which meet the requirements of the State plan to request and receive waivers. Limiting waivers to just those schools and LEAs that receive funding under this Act unnecessarily ties the hands of other schools and LEAs which are also working, with their own funds, to meet the objectives of the State improvement plan. If we expect all schools in a State to undertake educational reform, then they should all have access to waivers necessary to advance reform efforts.

Coordination of services

The Committee wishes to emphasize that the language authorizing the coordination of health and social services with education is not intended to support projects or activities which provide family planning or reproductive health services. Such services, with appropriate safeguards and limitations, are funded through various Federal and State health programs, and these services should not be duplicated with funding available under this title.

National leadership activities

From 6 percent of the amount appropriated to carry out Title III, the Secretary is authorized, directly or through grants or contracts, to provide technical assistance, gather data and conduct research on systemic reform, disseminate information, and promote coordination of local BIA and public school reform plans through grants to tribal divisions of education.

Title IV—National Skill Standards Board

Title IV establishes a National Skill Standards Board to serve as a catalyst in stimulating the development of a voluntary national system of skill standards. The Board is to be composed of 28 members. Overall, the membership is intended to represent the major stakeholders in the economy and in the development of high work force skills.

The Board, after extensive public consultation and study of the national labor market, is to identify broad clusters of major occupations that involve one or more than one industry in the United States. For each of the identified occupational clusters, the Board is to encourage and facilitate the establishment of voluntary partnerships to develop skill standards systems. These voluntary partnerships are to include the full and balanced participation of representatives of business and industry, employee representatives, representatives of education and training providers, and individuals with expertise in assessment. The Committee expects the Board to support the voluntary partnerships and to be proactive in providing a forum for representatives of the partnerships to meet periodically to evaluate their progress in developing skill standards.

The Board is to endorse those skill standards systems which meet objective endorsement criteria which have been developed pursuant to extensive public consultations. These criteria require that the skill standards meet or exceed the highest standards used in other countries and the highest international standards, that they take into account the needs of high performance work organizations, that they are in a form that allows regular updating to take into account technological and other advances, and that they promote the portability of credentials and mobility of workers within an occupation or industry. The system also includes a voluntary system of assessments and certification of the attainment of skill standards. This assessment system is to utilize a variety of evaluation techniques to ensure that individuals have an opportunity to demonstrate they have acquired the skills. On this matter, the Committee feels strongly that any assessment or assessment system meet relevant nationally recognized professional and technical standards for assessment such as the "Standards for Educational and Psychological Testing" published by the American Educational Research Association, American Psychological Association, and National Council on Measurement and Testing, and the "Uniform Guidelines for Employee Assessment."

Title V—Miscellaneous

Definitions

The Committee wishes to make it very clear that the terms "all children" and "all student" used throughout this Act means students from a broad range of backgrounds and circumstances, including disadvantaged students, students with diverse racial, ethnic, and cultural backgrounds (including American Indian, Alaska Native, and Native Hawaiian students), students with disabilities, students with limited English proficiency, school-aged children who have dropped out of school, and academically talented students.

It is the intention of the Committee that, under Title III of the bill, community school districts be treated as separate local educational agencies (LEAs) eligible to apply on their own for local systemic reform subgrants, rather than having to work through a city-wide LEA. The definition of "local educational agency" found in section 1471(12) of the Elementary and Secondary Education Act of 1965 has normally been interpreted to allow this.

SECTION ANALYSIS

Section 1 provides the short title of the bill.

Section 2 describes the purpose of the bill.

Section 101 describes the purpose of title I.

Section 102 establishes seven National Education Goals relating to: school readiness; school completion; student achievement and citizenship; teacher education and professional development; mathematics and science; adult literacy and lifelong learning; and safe, disciplined, and drug-free schools.

Section 201 describes the purpose of part A (National Education Goals Panel) of title II.

Section 202 provides for establishment, composition, and operation of the National Education Goals Panel.

Section 203 prescribes the duties of the National Education Goals Panel.

Section 204 describes the powers of the Goals Panel.

Section 205 contains Goals Panel administrative provisions related to meetings and public access.

Section 206 contains provisions related to staff of the Goals Panel.

Section 211 describes the purpose of part B (National Education Standards and Improvement Council) of title II.

Section 212 contains provisions related to the National Education Standards and Improvement Council (NESIC), such as establishment, composition, qualifications of members, terms, compensation, conflict of interest, travel, and officers.

Section 213 prescribes the duties of NESIC.

Section 214 requires NESIC to submit annual reports to the President, Secretary, committees of Congress, Governors, and the Goals Panel.

Section 215 describes the powers of NESIC.

Section 216 contains NESIC administrative provisions related to meetings and public access.

Section 217 contains provisions related to staff of NESIC.

Section 218 authorizes the Secretary to make a grant to a consortium of individuals and organizations to develop voluntary national opportunity-to-learn standards.

Section 219 authorizes the Secretary to make grants to States and local educational agencies to help defray the costs of developing, field testing, and evaluating systems of assessments.

Section 220 directs the National Academy of Sciences to conduct an evaluation of (1) the work of the Goals Panel and NESIC, and (2) activities authorized under sections 218 and 219.

Section 221 authorizes appropriations for the Goals Panel, NESIC, Opportunity-to-Learn Development Grant, and Assessment Evaluation and Development Grants.

Section 301 delineates congressional findings for title III.

Section 302 describes the purpose of title III.

Section 303 authorizes $393 million to be appropriated to carry out title III for fiscal year 1994 and such sums as may be necessary for each of the fiscal years 1995 through 1998.

Section 304 prescribes how funds are allotted to the states, outlying areas, and the Secretary of the Interior and that up to 6 percent of the annual appropriation for this title is reserved for national leadership activities under section 313.

Section 305 prescribes how states apply for formula grants in the first and subsequent years.

Section 306 contains the provisions related to state improvement plans, including: basic scope; plan development; teaching, learning, standards, and assessments; opportunity-to-learn standards; governance and management; parental and community support and involvement; making the improvements systemwide; promoting bottom-up reform; benchmarks and timelines; peer review and secretarial approval; amendments to plan; and preexisting state plans and panels.

Section 307 contains provisions related to Secretarial review of state applications in the first and succeeding years and payments to states.

Section 308 describes how states will use their funds in the first and succeeding years.

Section 309 contains provisions related to subgrants to local educational agencies for local reform and professional development, including: establishment of a broad-based local panels; development, contents, and approval of local improvement plans; uses of local improvement subgrants in the first and succeeding years; and application for, and awarding of, professional development subgrants.

Section 310 contains provisions regarding the availability of systemic reform information and training to private elementary and secondary schools.

Section 311 contains provisions authorizing the Secretary to waive requirements of certain federal education laws and regulations in order to assist states and local educational agencies to avoid impediments to the implementation of reform plans. This section also contains provisions regarding application for waivers, as well as their approval and termination.

Section 312 requires the states to report annually to the Secretary regarding—(1) state and local progress in achieving goals and plans, and (2) proposed activities for the succeeding year. This

section also requires the Secretary to report biennially to the Congress regarding activities and outcomes of grants under title III, with particular attention to section 219.

Section 313 authroizes the Secretary, directly or indirectly through grants and contracts, to provide technical assistance to states and local educational agencies, to conduct and disseminate research on systemic educational improvement, and to provide grants to tribal divisions of education for coordination of local public and BIA planning. This section also contains a special 50 percent reservation of funds for grants to urban and rural local educational agencies with large numbers or concentrations of economically disadvantaged students to assist the development and implementation of their improvement plans.

Section 314 prescribes the use of the funds by the outlying areas and the Secretary of the Interior (Bureau of Indian Affairs) related to reform.

Section 401 provides that the purpose of the National Skill Standards Board is to serve as a catalyst in the development and adoption of voluntary national skill standards.

Section 402 provides that the National Board shall be composed of 28 members, including the Secretary of Education, the Secretary of Labor, the Secretary of Commerce, and the Chairperson of the National Education Standards and Improvement Council. Twelve members are appointed by the President and 12 members are appointed by the Congress, divided evenly between the House of Representatives and the Senate. This section also details the terms of service of the National Board members.

Section 403 describes the functions of the National Board including the identification of broad clusters of major occupations and the establishment of voluntary partnerships to develop skill standards for the identified occupational clusters. This section provides that the National Board shall carry out research, coordination, and dissemination activities related to skill standards and establishes methods for the endorsement of skill standard systems.

Section 404 provides that the National Board shall identify broad occupational clusters and promote the development of voluntary skill standards for the clusters by December 31, 1996.

Section 405 requires the National Board annually to report to the President and Congress.

Section 406 authorizes $15 million to be appropriated to carry out title IV for FY 1994 and such sums as may be necessary for each of the fiscal years 1995 through 1999.

Section 407 defines certain terms used in title IV.

Section 501 defines certain terms used in this Act.

Section 502 prescribes limitations regarding the use of funds under this Act.

Section 601 authorizes the Secretary to make grants each year to private, nonprofit organizations for the purpose of providing training and information to parents and other individuals to encourage a more effective working relationship between educators and such parents in meeting the needs of children enrolled in participating schools.

Section 602 contains provisions regarding the eligibility of private, nonprofit organizations and renewal of grants.

Section 603 describes the uses of grant funds under Title VI.

Section 604 authorizes the Secretary to provide technical assistance for the establishment, development, and coordination of parent training and information programs and centers.

Section 605 authorizes the Secretary to provide for the establishment of 5 experimental parent training and information centers in each State.

Section 606 describes the data the Secretary shall obtain for the purpose of reporting.

Section 607 authorizes to be appropriated $5 million for fiscal year 1994 and such sums as may be necessary for each of the fiscal years 1995 through 1998.

OVERSIGHT STATEMENT

In compliance with clause 2(l)(3)(A) of rule XI of the Rules of the House of Representatives, this report embodies the findings and recommendations of the Subcommittee on Elementary, Secondary, and Vocational Education, established pursuant to clause 4(a) of the rules of the Committee on Education and Labor. Pursuant to its ongoing oversight responsibilities, the Committee has determined that legislation should be enacted as set forth in H.R. 1804.

INFLATIONARY IMPACT STATEMENT

In compliance with clause 2(l)(4) of rule XI of the Rules of the House of Representatives, the Committee estimates that the enactment into law of H.R. 1804 will have little inflationary impact on prices and costs in the operation of the national economy. It is the judgment of the Committee that the inflationary impact of this legislation as a component of the Federal budget is negligible.

OVERSIGHT FINDINGS AND RECOMMENDATIONS OF THE COMMITTEE ON GOVERNMENT OPERATIONS

In compliance with clause 2(l)(3)(D) of rule XI of the Rules of the House of Representatives, the Committee states that no findings or recommendations of the Committee on Government Operations were submitted to the Committee.

COST OF THIS LEGISLATION

A. Congressional Budget Office Estimate

In compliance with clause 2(l)(3)(B) and (C) of rule XI of the Rules of the House of Representatives, the estimate prepared by the Congressional Budget Office pursuant to section 403 of the Congressional Budget Act of 1974, submitted prior to the filing of this report, is set forth as follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, June 29, 1993.

Hon. WILLIAM D. FORD,
Chairman, Committee on Education and Labor, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 1804, the Goals 2000: Educate America Act, as ordered reported by the Committee on Education and Labor on June 23, 1993.

H.R. 1804 would allow for the accepting and disposing of gifts by the three new organizations established in this bill. This could result in changes in direct spending and receipts. Therefore, the bill would be subject to pay-as-you-go procedures under section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985.

If you wish further details on this estimate, we will be pleased to provide them.

Sincerely,

ROBERT D. REISCHAUER,
Director.

Attachment.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

1. Bill number: H.R. 1804.
2. Bill title: Goals 2000: Educate America Act.
3. Bill status: As ordered by the House Education and Labor Committee, June 23, 1993.
4. Bill purpose: The purpose of this bill is to establish national educational goals; authorize three new organizations—a panel, a council, and a board; and authorize funds for four new grant programs—the education systemic improvement grants, the opportunity-to-learn development grants, the assessment development and evaluation grants, and parental information and resource center grants.
5. Estimated cost to the Federal Government:

[By fiscal year, in millions of dollars]

	1994	1995	1996	1997	1998
AUTHORIZATION OF APPROPRIATIONS					
National Education Goals Panel:					
Estimated authorization	3	3	3	3	3
Estimated outlays	2	3	3	3	3
National Education Standards and Improvement Council:					
Estimated authorization	3	3	3	3	3
Estimated outlays	2	3	3	3	3
Opportunity-to-Learn Development Grants:					
Estimated authorization	1	1	.....	.....	.....
Estimated outlays	(1)	1	1	(1)	(1)
Assessment Development and Evaluation Grants:					
Estimated authorization	5	5	5	5	6
Estimated outlays	1	4	5	5	5
Grants for Education Systemic Improvement:					
Estimated authorization	393	404	415	426	437
Estimated outlays	47	316	395	413	425
National Skill Standards Board:					
Estimated authorization	15	15	16	16	17
Estimated outlays	8	14	16	16	16

[By fiscal year, in millions of dollars]

	1994	1995	1996	1997	1998
Parental Information and Resource Centers:					
Estimated authorization	5	5	5	5	6
Estimated outlays	1	4	5	5	5
Total:					
Estimated authorization	425	436	447	459	472
Estimated outlays	61	345	428	447	459
DIRECT SPENDING					
Spending from Gifts and Contributions:					
Estimated authorization	0	0	0	0	0
Estimated outlays	0	0	0	0	0
REVENUES					
Gifts and Contributions	0	0	0	0	0

[1] Less than $500,000.
Note: Details may not add to totals because of rounding.

The costs of this bill fall within budget function 500.

Basis of estimate: This bill authorizes appropriations for several new programs. The amounts authorized for 1994 are stated in the bill. Beyond 1994, such sums as may be necessary are authorized for all programs. Amounts authorized for 1995 through 1998 are estimated by increasing the amounts specified for 1994 by projected inflation.

Estimated outlays assume that the estimated authorizations are fully funded at the beginning of each fiscal year. In addition, the estimated outlays reflect spending patterns of similar federal programs. The details are stated below.

National Education Goals Panel

H.R. 1804 authorizes appropriations of $3 million in 1994 and such sums as may be necessary in 1995 through 1998 for a National Education Goals Panel.

National Education Standards and Improvement Council

This bill authorizes appropriations for a National Education Standards and Improvement Council of $3 million in 1994 and such sums as may be necessary in 1995 through 1998.

Opportunity-to-Learn Development Grants

H.R. 1804 authorizes $1 million in 1994 and such sums as maybe necessary for 1995 for opportunity-to-learn development grants.

Assessment Development and Evaluation Grants

This bill authorizes appropriations for assessment development and evaluation grants of $5 million in 1994 and such sums as may be necessary 1995 through 1998.

Grants for Education Systemic Improvement

The bill authorizes appropriations for grants to states for education systemic improvement of $393 million in 1994. In 1995 through 1998, these grants are authorized at such sums as may be necessary.

National Skills Standard Board

H.R. 1804 authorizes appropriations of $15 million in 1994 and such sums as may be necessary in 1995 through 1998 for a National Skills Standard Board.

Parental Information and Resource Centers

This bill authorizes appropriations of $5 million in 1994 and such sums as may be necessary in 1995 through 1998 for parental information and resource centers.

Gifts and Contributions

This legislation also establishes gift fund for the new Education Goals Panel, the Education Standards and Improvement Council, and the National Skill Standards Board. These gift funds allow the organizations to accept and use or dispose of gifts and donations of services and property and thus provide the organizations with direct spending authority. Virtually all other education-related boards and panels have this same authority. Because donations are uncommon and because no particular gifts are expected, CBO has not estimated any revenue or direct spending effects from the establishment of these gift funds.

6. Pay-as-you-go considerations: The Budget Enforcement Act of 1990 sets up pay-as-you-go procedures for legislation affecting direct spending or receipts through 1995. The pay-as-you-go effects of the bill are as follows:

	1993	1994	1995
Outlays	0	0	0
Receipts	0	0	0

7. Estimated cost to State and local governments: The new grants for education systemic improvement are basic grants to states; funding is distributed to states based on a population formula tied in part to the Chapter 1 allocation formula and in part to the Chapter 2 allocation formula. States face no matching requirements but must use these funds to supplement, not supplant, current education expenditures.

State and local governments may apply on a competitive basis for the new assessment development and evaluation grants which are authorized at $5 million in 1994. These grants are intended to help defray the cost of developing, field testing, and evaluating systems of assessment, but there are no specific matching requirements for the states.

8. Estimate comparison: None.

9. Previous CBO estimate: None.

10. Estimate prepared by: Deborah Kalcevic.

11. Estimate approved by: Paul Van de Water, for C.G. Nuckols, Assistant Director for Budget Analysis.

B. Committee Estimate

With reference to the Statement required by clause 7(a)(1) of Rule XIII of the Rules of the House of Representatives, the Committee accepts the estimate prepared by the Congressional Budget Office.

DISSENTING VIEWS

We believe that the President, the Secretary of Education, and most of the nation's Governors, share our disappointment in the version of the Goals 2000 legislation reported out of our Committee on June 23, 1993. We believe that none of them would support or choose to administer this version of "school reform".

Some Democrats on the Committee have left no stone unturned in their effort to disrupt the grass roots, national effort to bring reform to our schools. From the National Education Goals, the National Education Goals Panel, the Education Standards and Assessment Council, to the State grants program—the majority has ensured that what was bipartisan is partisan, what was achieved by consensus is altered by the whim of a few Democrats on this Committee, and what was focused on results and higher achievement is now preoccupied with ensuring that schools meet check lists determined by federal law.

President Clinton and Secretary Riley sent us a bill that, while we had some concerns with the legislation, proposed a federal role in supporting the school reform effort that was nonpartisan, balanced, and properly constrained so as to not smother the state and local efforts it was designed to help. The Democrats on the Committee were obviously operating from a different play book.

THE NATIONAL EDUCATION GOALS

We support the National Education Goals and agree they should not be changed at this time. Through the work of many, the Goals have become widely known and broad-based support has developed around them. To add to them at this time, and without any discussion of the merits of a new goals, sends the wrong signal. Instead of a ten year, consistent drive to meet the six original goals, Congress sends the message that educational change is a faddish endeavor and that your never know where the shifting sand of school reform will be tomorrow. Let's leave the Education Goals alone at this time!

THE EDUCATION GOALS PANEL

When the nation's Governors met with President Bush in Charlottesville at the Education Summit three years ago, they not only articulated the Education Goals but they created the National education Goals Panel to raise the nation's awareness of the goals and to track our progress towards meeting them. The beauty of the Goals Panel was that it brought together, for the first time in the history of our country, federal and state elected executives and law makers in an on-going effort to improve education. The Panel has been bipartisan and provided a steady hand at the national level to the school reform effort. We support the current structure and role of the Goals Panel.

The Democrats on the Committee have changed the makeup and the functions of the Goals Panel against the wishes of the Democrat and Republican public officials who comprise the Panel at this time. It is sad that Members of the Committee misunderstand the mission of the Panel so much that they would think providing a majority of Democrats would ensure they "win". Their amendment destroys the central tenet of the Panel, that school reform is not a partisan issue. The message they send to local school boards, private industry, state governments, and the public is that this is just another political game to be taken advantage of by one party or the other.

NATIONAL EDUCATION STANDARDS AND IMPROVEMENT COUNCIL

The majority has removed the Goals Panel from consideration of standards in the national approval process. This means that the National Education Standards and Improvement Council (NESIC) will make these decisions alone. We have no idea who these people will be, other than they are not accountable to anyone. So, now the Democrats on the Committee have created a structure that, without any checks and balances by the Goals Panel, will alone decide what are the national education standards. The Congress, the Governors, and the President have been eliminated from the loop.

To top it off, the Democrats on the Committee changed the appointment process of NESIC so now most members (16 out of 20) will be appointed by Democrat officials. We had supported the bipartisan goals Panel making recommendations to the President for membership of NESIC; the majority was afraid they could not control this process. You begin to see a pattern.

NATIONAL STANDARDS AND ASSESSMENTS

Now that we have cut NESIC loose from any accountability to public officials, what is it they will be doing? The bill talks a lot about this group certifying "voluntary" national standards and assessments. However, in the Committee-reported bill one can only use the most tortured meaning of this word in connection with education standards and assessments.

Every state must establish content standards, opportunity to learn standards, and an assessment system aligned to these standards if they apply for and receive a grant. We feel that this requirement is acceptable only if states and local communities have broad discretion in implementing these policies. Unfortunately, the bill has become more prescriptive as it has moved through the Committee.

Nowhere is this trend more troubling than in the opportunity to learn standards. Instead of creating a process by which state and local educators would focus on the teaching and learning process to ascertain if it effectively reaches all students, it has turned opportunity to learn standards into a federal list that will surely become another list of items to be checked off without any connection to individual districts, schools, or classrooms. The legislation requires that every state must develop opportunity to learn standards in the federal categories. In addition, these categories were expanded during the subcommittee markup—adding school facilities and gender

quiet policies as mandatory areas for opportunity to learn standards.

What does this mean? Is having a gender equity policy in a school more important for student learning than curriculum guidance from the administration, parental involvement in the educational process, and student motivation? Of course it is not. So, these standards will likely send schools across the country off trying to meet these federal standards when we know from years of research that "opportunity to learn" is far more complicated than specifying texts, technology, physical surroundings, and teacher credentials. The sad thing is that this new wave of school reform is in reaction to exactly this kind of approach to improving our education system. Changes in the system were supposed to be driven from the ground up through local innovations with focus and accountability flowing from what it was we wanted schools to accomplish—what we wanted students to learn.

Nowhere is this about-face from a focus on outcomes to a focus on inputs unrelated to the goals of the education process more apparent than in an amendment adopted at subcommittee that requires a state to develop opportunity to lean standards before or simultaneously with content standards. Without having reached a consensus about what it is students should know, how can a state describe the conditions of teaching and learning necessary for students to achieve these standards? This makes a joke of the contention that opportunity to learn standards will not be similar to the same old requirements that states currently have in place. Just what the nation needs, a new list of state requirements telling local schools what they have to do—requirements by definition developed without knowing what students should know.

GOALS 2000: STATE AND LOCAL SCHOOL REFORM GRANTS

The heart of the Goals 2000 legislation, and where most of the funds will be appropriated, is the grants to States and local educational agencies to encourage school reform efforts. All the national efforts will be for naught if States and local communities do not buy into this effort. Once again, we believe that the Democrats have done everything they can to make this program unpalatable and counter-productive from the state and local perspective.

A single amendment, offered by Mr. Reed, changes the whole thrust of the federal involvement in school reform and directly contradicts the intentions of the President and Secretary of Education. This amendment requires states to describe how they will ensure that every school in the state meets the opportunity to learn standards. Of course, this is just one more federal mandate that comes without the federal funds to implement it. So much for the standards being "voluntary".

In addition, the likely effect of the amendment will be to either force states to set their standards low so they can ensure every school will meet them or to not even apply for the funds, figuring that the huge costs of compliance are not worth the meager funding levels the program will receive. So much for the federal government encouraging high, "world class" standards.

One of the few bright spots in the Committee's consideration of the bill was an amendment to allow any school or district under-

taking school reform to seek a waiver from the regulations connected to the major federal education programs. This amendment, offered by Congressman Goodling, is a major step forward and will provide flexibility to schools and allow true local innovation.

It has been a very disappointing experience to watch the President's school reform bill torn apart by the Democrats and transformed into something that its authors would not recognize nor support. The Chairman of this Committee has said many times that the only way real change in education occurs is with bipartisan political support and ownership from the education community. We agree with him. The question is, how did a bill that started out with endorsements from the business community, many education groups, and state officials become a partisan vehicle to bash the Governors, drive the business community away from the process, and become a vehicle for the whim of every Democrat Member?

Obviously, there are several more steps in the legislative process this bill must go through. We continue to believe that there is a legitimate, limited federal role in the national school reform effort. We will be making every effort at each step of the way to bring Goals 2000 back to the balanced version put forward by President Clinton and Secretary Riley.

TITLE IV—NATIONAL SKILL STANDARDS BOARD

With the realization that U.S. Competitiveness is increasingly dependent on the skills of the American workforce—broad-based support has arisen for development of national, voluntary occupational skill standards in the United States. As was articulated in testimony provided to the Committee by the American Electronics Association, the National Association of Manufacturers, and other key witnesses, such a system, if well constructed, voluntary, and industry-led, can benefit all U.S. workforces and industries. However, Title IV of H.R. 1804 as reported by the Committee, does not provide such a "well-constructed, industry-led" approach. In fact, if enacted in its present form, this legislation could set back the valuable work undertaken by leading industries in the development of skill standards over the past several years.

The key question in this debate is not whether national skill standards, if developed correctly, are in the best interest of the U.S. economy, its workforce, and business and industry—but that of determining what should be the proper role of the Federal government in the development of these standards, and who should be in control of such development. We are firmly convinced that business and industry must lead in the development of the occupational skill standards they feel are appropriate and necessary for their workplaces. Workplace skill standards must be developed, recognized, certified, and promoted by industry, with the significant input of employees (including organized labor) and experts in the fields of education, training, and civil rights, or they will fail the reality and flexibility test. In other words, if we create a system of skill standards that is not "owned" by the people who will be using it, the standards will not be used, and the positive work of the last several years will be lost. In its May 1993 report entitled "Skill Standards: Experience in Certification Systems Shows Industry Involvement to be Key," the General Accounting Office (GAO) con-

cludes "We believe that industry ownership and control was the most important element of the voluntary skill certification systems we reviewed because it resulted not only in significant investments of industry resources, but also a commensurate interest in assuring that the systems are up-to-date."

It is true that we have made significant progress in addressing many of the concerns that were originally expressed over Title IV of H.R. 1804 as introduced. We have better defined the role of the National Board as that of: Identifying occupational clusters for which standards will be developed (through an extensive public process); facilitating the establishment of industry partnerships responsible for development of the standards; endorsing the standards based upon objective criteria established with public input; and serving as a clearinghouse, conducting research, providing technical assistance, and other related supportive activities. The bill now makes it clear that the actual development of skill standards is not to be undertaken by the National Board, but by voluntary partnerships that have developed where possible from the "bottom-up." And we clarified that development of skill standards be a voluntary, not a mandatory process, requiring the Board to "promote" the development of an initial set of standards by the end of 1996. However, we continue to have very fundamental concerns over the legislation, primarily dealing with the issue of business leadership in development of the standards. It is as simple as this, no matter how well-intended the legislation, a national system of voluntary skill standards will not succeed without the active involvement, participation, and support of the business community.

During full-Committee consideration of the Title IV of H.R. 1804, we offered two sets of amendments (offered en bloc), that were written to address these concerns. These amendments would have greatly improved this legislation—and the chances that some good will come from the development of a skill standards system in this Country. Unfortunately, they were defeated. At the time our amendments were offered, Committee democrats repeatedly referenced the carefully negotiated composition and structure of the National Board in argument against any suggested changes to this Board. We take issue with this argument, as the 28 Member Board—with its "tripartite" structure—was never negotiated with House republicans, with existing skill standard grantees, or with the business community in general, but has been for all intents and purposes, "off the table" throughout the entire negotiations process in the House to date.

APPOINTMENT AND COMPOSITION OF THE NATIONAL SKILL STANDARDS BOARD

To ensure that voluntary national skill standards receive the necessary acceptance of the business community, we support requiring that a majority of the National Board be composed of representatives from business and industry. By contract, Title IV as reported, limits the number of business and industry representatives to only 8 of 28 Members of the Board—less than one-third of the total Board membership. Such limited business representation would no doubt sabotage this entire effort.

We support increased representation from education and training experts on the board, particularly from community colleges and vocational/technical institutions, who will be responsible for providing most of the training tied to the skill standards envisioned in this legislation.

With regard to worker representation on the Board, we support the inclusion of non-union workers, as well as union workers, on the National Board—based on the fact that we will otherwise exclude the concerns of over 87% of the non-government workforce. A good example of the need for having both union and non-union worker representatives on the Board, is in industries under the umbrella of the American Electronics Association—representing the nation's largest manufacturing sector with approximately 24 million American workers and 2700 member companies, where only 3 to 7 percent of their workforce is unionized. Under H.R. 1804 as reported from Committee, none of these workers could be represented on this Board—and these are some of the most progressive U.S. companies in the areas of utilization of skill standards and high performance work. Under H.R. 1804 as reported, only representatives of union workers are allowed to serve on the National Board. Such a requirement is of obvious concern in and of itself, but it is even more troublesome in light of an amendment that was accepted during the Committee's consideration of the bill, that exempted all trades and occupations in industries with national, registered, and active apprenticeship programs (numbering 288) from coverage under the bill.

To address the concern that the National Skill Standards Board be composed of qualified individuals as compared to being reduced to a political numbers game, we support providing the President with responsibility for making all appointments to the National Board, with certain assurances that such appointments be bipartisan and to the extent practicable, politically equitable. To further ensure that this Board be truly independent of government interference, we support making the three Secretaries of Labor, Education, and Commerce, and the Chairperson of the National Education Standards and Improvement Council non-voting members of the National Board.

Business Board Chair. Finally, equally important to increased representation on the Board, we strongly support a requirement that the National Board be chaired by a business representative. As explained in a June 15 letter written to Members of the Committee from the National Alliance of Business, such designation would "signal to business that this will be a business led initiative with the government serving as the convener and facilitator."

CIVIL RIGHTS ISSUES

The journey of title IV with regard to civil rights issues has been long and torturous. As originally introduced, the bill was grossly contrary to basic civil rights principals as set out in the recently enacted Civil Rights Act of 1991 (CRA).[1] Subsections 403(b)(2)(C)

[1] Of course, the CRA amended Title VII of the 1964 Civil Rights Act, and applies only to employment decisions. However, it seems reasonable that the principles of employment civil rights law should guide the standard-setting process under title IV, although we do have some ques-

Continued

and (D) provided that "a system of assessments and certification of the attainment of skill standards" be developed which include methods for validating the "fairness" of the assessment and certification system, and which "utilize certification techniques that are designed to avoid disparate impacts (which, for the purpose of this subparagraph, means substantially different rates of certification) against individuals based on race, gender, age, ethnicity, disability, or national origin." Taken together, these provisions would have effectively eliminated the use of any standard which would have a disparate impact (i.e., a higher disqualification rate) on the protected classifications specified (regardless of whatever usefulness these standards may otherwise have), or at least have required the modification of such standards so that there would be no disparate impact, a practice commonly referred to as "race-norming."[2] Yet, Congress provided under the CRA that job standards which have a disparate impact *are* proper so long as such standards are "job related for the position in question and consistent with business necessity" and, further, prohibited the discriminatory alteration of tests for the purposes of eliminating disparate impact. (See, sections 105 and 106 of the Act.) The Act, in this manner, balanced the societal need to permit use of effective job skills criteria and the equally important goal of eliminating ineffective employment practices which have a disparate impact.

A May 3, 1993, letter by Reps. Goodling and Gunderson to Secretary of Labor Robert Reich raised these, and other concerns, and the Department subsequently agreed to remove the offending language. Similarly, language added in later draft efforts to include provisions requiring "validation" and other formal, complex assessment techniques were rejected on the basis that such requirements were not consistent with the CRA.

Title IV now provides, in relevant part, that to be endorsed by the Board, these skill standards and assessment procedures must be non-discriminatory and "consistent with Federal civil rights laws." While this formulation seems to be a sensible resolution, we wish to emphasize that title IV still raises serious civil rights issues—issues unavoidable by the very nature of the Board's functions—which will impact litigation in the employment area under title VII of the 1964 Civil Rights Act.

Should the process set out in this title produce demanding, high quality standards, we suspect that employers will utilize many of these standards in their workplaces and seek to rely on the fact that these standards, should they have disparate impact, were produced by a quasi-governmental process as an element in defending those standards, i.e., that those standards were "consistent with Federal civil rights" and thus "job-related and consistent with business necessity." On the other hand, should the process produce, for whatever reason, minimally demanding, ineffective standards, employers will likely utilize different standards. Plaintiffs may, in turn, attack such standards based on that difference, contending

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tions over how the comparatively job specific inquiry of job relatedness under title VII will relate to the legislation's guideline to set standards for broad "occupational clusters".

[2] As testimony in both the House and Senate made clear, the term "fairness" often means, in civil rights terminology, equivalency in results, i.e., race-norming.

that employers must justify any deviation from a Board-approved standard.[3]

Subsection 403(e)(2)(B) highlights the lack of confidence on the part of all parties (including, ironically, the Administration which strongly supports title IV) with regard to the quality of title IV's standard-setting process. That subsection provides that an endorsement by the Board cannot be used to establish compliance, or lack of compliance, with civil rights laws. (In an earlier draft, the provision would only have prohibited employers from relying on an endorsement to defend the use of standards; it now places limitations on both defendants and plaintiffs.) This provision provides some protection but, apparently, would still permit some use of an endorsement, or the underlying process which led to the development of a standard, as relevant (as distinguished from conclusive) evidence in a court proceeding.

Unfortunately, if the Board composition and appointment process is not changed in this legislation, it is our sense that it will likely not produce standards useful to the employer community. Hence, the results may frequently be used by plaintiffs against employers who feel compelled to use different, more efficient, standards. We do believe, to reiterate, that majority representation on the Board from business would markedly improve its overall functions and result in better standards; hence such a majority would help alleviate our concerns with the way standards may be used in litigation.

Finally, we are also concerned over the possibility that the Board may, in interpreting admittedly less than clear provisions of current civil rights laws, venture into entirely new directions never contemplated by the Congress. We hope this is a fear which will be proven unfounded but, in any event, caution that whatever the Board does in this area, its actions should have no precedential effect on the development or interpretations of any civil rights laws. This intent is reflected in subsection 403(e)(2)(A).

[3] Title VII provides that once an employer defends a job standard through proof of job-relatedness and business necessity, the plaintiff may still be able to provide (depending on other circumstances) a violation by demonstrating that the employer refused to adopt a different, yet equal effective, practice with less disparate impact. The precise contours of this line of argument are not well established and were left unclear under the CRA.

CONCLUSION

In conclusion, while we have varying opinions on whether or not the Federal government should be at all involved in the development of voluntary national skill standards, we are convinced that any success of this effort hinges on a careful partnership being established in the development of these standards, with the bulk of the work being done away and apart from the federal government, and being industry-led. More important in the long run is the creation of strong and lasting partnerships between business, labor, and education which will continue long after federal funding is available. The federal government can support the development of a skill standards system, but if that work is not "owned" by the people who will be using it, the standards will collect dust.

BILL GOODLING.
STEVE GUNDERSON.
BILL BARRETT.
RANDY "DUKE" CUNNINGHAM.
PETE HOEKSTRA.
DAN MILLER.
CASS BALLENGER.
BUCK MCKEON.
HARRIS W. FAWELL.
THOMAS E. PETRI.

SUPPLEMENTAL DISSENTING VIEWS

Goals 2000 (H.R. 1804) does nothing to foster the real school reform America needs. This bill retains the business-as-usual agenda that has sabotaged the quality of American education for the past twenty years. H.R. 1804 increases the Federal education bureaucracy, and at the same time, slaps another Federal mandate on the states. It suggests that more money is the answer to our education woes. In reality, America spends more on education than any other country, yet American students have one of the lowest achievement ratings. Goals 2000 continues down a dead-end road by concentrating a new bureaucracy on factors unrelated to how much our children are actually learning.

Instead, America needs a new style of thinking—a new style of reform. We don't need a national school board in the form of the National Education Standards and Assessment Council, nor the National Skills Standards Board, nor the codification of the National Education Goals Panel—but these panels are created by H.R. 1804. We also do not need opportunity-to-learn standards, which have everything to do with how much we are spending in our schools but nothing to do with how much our students are actually learning. Yet in H.R. 1804, these standards take precedence over quantifiable achievement standards, such as whether a student is getting an "A" or "F" in math and science.

H.R. 1804 also does not ensure that schools actually use the funds in the bill for reform. The use of the funds only have to be "reasonably related" to school improvement. This ambiguous term would make any lawyer proud. It can mean funding school-based clinics, multicultural programs, outcome-based education, or any of the number of failed "reforms" attempted by the education establishment in the past twenty years. In short, funding from this bill will flow to the very people who have had the power to reform education but have an interest in the status quo—the entrenched education establishment.

Another criticism with H.R. 1804 is that it fails to permit private and parochial school choice. The Committee rejected including these provisions and by doing so insists on telling the parents throughout this nation, especially the poor, that they cannot decide where to send their children to school—that this decision is best left in the hands of the education bureaucrats. For the poor, who do not have the financial ability to move, this means they will be forced to send their children to substandard schools because of artificial boundaries created by bureaucrats. School choice is catching on throughout the nation, yet this Committee insists on ignoring this movement by not allowing local communities to include private and parochial school choice in their reform plans.

The Armey-Ballenger-Boehner substitute was offered in full committee specifically to address these concerns.

The substitute, also called the "Parent and Student Empowerment Act," would target funds to the four most promising approaches to reform—merit schools, model schools (including charter schools), school choice programs, and site-based management (with an emphasis on alternative certification)—and requires that 25% of the Federal funds a local school district receives be spent on some form of a school choice program. The definition of school choice is left up to the local community, which can opt for public school choice only or some other approach to school choice. These provisions simply guarantee that Federal reform dollars are not squandered on unpromising approaches and go only to those schools that are really serious about reform.

The Parent and Student Empowerment Act is preferable to H.R. 1804 in several other respects. To prevent the "goalposts" from constantly being moved, it establishes the six National Education Goals as the fifty state governors agreed to them, not the "revised and extended" seven Goals found in H.R. 1804. It places accountability for reform in each state's governor, an elected official, rather than the education bureaucracy. It pushes Federal funds down to the local level quickly: 75% in year one, and 90% thereafter. And it grants schools a broad right to request waivers from Federal regulations, subject to the approval of the Secretary of Education.

Perhaps most importantly, the Parent and Student Empowerment Act strengthens the rights of parents in ways that will improve the schools. Specifically, it recognizes parents' inalienable right to withdraw their children from any activity they consider to be detrimental to their child's education, as well as their right to control who sees their children's school records, and to be informed in writing before their child is subjected to psychological testing or sex surveys.

Throughout the Committee consideration of H.R. 1804, one certainty became clear—we are faced with a choice in America today—a choice between the old, discredited policies of the status quo, liberal education establishment, or something new, something that will empower parents and communities throughout this country with the ability to make their own decisions about who will educate their children.

The Armey-Ballenger-Boehner substitute sends the message that education reform will not come from Washington nor the state capitols—but will come from the cities and towns of America. Now is not the time to say we are too afraid to try something different. Now is the time for bold innovation and courageous leadership.

While the Parent and Student Empowerment Act was not adopted in full Committee, we look forward to carrying this debate to the floor of the House.

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